

States to sponsor such conference; to the Committee on Appropriations.

4079. Also, Senate Joint Resolution No. 29, relative to memorializing Congress regarding the national-park system in California; to the Committee on Appropriations.

4080. By Mr. FAY: Memorial of the Board of Estimate of the City of New York, memorializing the Congress of the United States to delete from the 1940 relief bill the provisions which would reduce the appropriation for public works to \$125,000,000 and which would cause other deprivations; to the Committee on Appropriations.

4081. By Mr. HALL: Petition of sundry citizens of Long Island, members of Local 43, U. F. W. of A., urging enactment of House bill 960, extending civil service and classification; to the Committee on the Civil Service.

4082. Also, petition of sundry citizens of Long Island, N. Y., urging enactment of House bill 5620, the so-called General Welfare Act; to the Committee on Ways and Means.

4083. By Mr. MARTIN J. KENNEDY: Petition of the Board of Estimate of the City of New York, urging Congress to delete from the 1940 relief bill the provisions which would reduce the appropriation for public works to \$125,000,000 and which would cause other deprivations; to the Committee on Appropriations.

4084. By Mr. MICHAEL J. KENNEDY: Petition of the American Manufacturing Co. of Brooklyn, N. Y., urging passage of Philippine legislation now before the House Committee on Insular Affairs, provided it contains a provision limiting all imports of Philippine-made cordage and twine to 6,000,000 pounds annually; also supporting the Welch amendment relative to allocation; to the Committee on Interstate and Foreign Commerce.

4085. Also, petition of the Asbestos Workers' Local No. 12, favoring the relief bill and also the Starnes bill, providing for the increase of funds for Public Works Administration; to the Committee on Appropriations.

4086. Also, petition of Justus D. Doenecke & Son, Inc., Brooklyn, N. Y., opposing the Bloom neutrality bill; to the Committee on Foreign Affairs.

4087. Also, petition of the National Grange, expressing opposition to Senate bill 2009, pertaining to the regulation of transportation by the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

4088. Also, petition of Iowa Bankers' Association, protesting against the inclusion of bankers under the terms of the Wage and Hour Act; to the Committee on Labor.

4089. Also, petition of the New York Board of Trade, favoring enactment of Senate bill 1871, known as the Hatch bill, to prevent pernicious political activities; to the Committee on the Judiciary.

4090. Also, petition of the Dairymen's League Cooperative Association, Inc., pertaining to public hearings for producers and others affected by House bill 6316, known as Schulte milk bill; to the Committee on the District of Columbia.

4091. Also, petition of the Social Service Employees' Union, U. O. P. W. A., of New York City, urging enactment of the Wagner-Rogers bill; to the Committee on Labor.

4092. Also, petition of the Paul Revere Sentinels of New York City, opposing enactment of the Bloom neutrality bill; to the Committee on Foreign Affairs.

4093. By Mr. KEOGH: Petition of the New York Board of Trade, Inc., New York City, favoring the passage of the Hatch bill (S. 1871); to the Committee on the Judiciary.

4094. Also, petition of the Chamber of Commerce of the State of New York, concerning the enactment of the Hatch bill; to the Committee on the Judiciary.

4095. Also, petition of the American Manufacturing Co., Brooklyn, N. Y., favoring the passage of the Philippine legislation limiting all imports of Philippine-made cordage and twine to 6,000,000 pounds annually; to the Committee on Insular Affairs.

4096. By Mr. MERRITT: Resolution of the Board of Estimate of the City of New York, respectfully memorializing the Congress of the United States to delete from the 1940 relief bill the objectionable provisions as proposed by the

Appropriations Subcommittee headed by Representative WOODRUM of Virginia; to the Committee on Appropriations.

4097. By Mr. WELCH: Joint Resolution No. 29, of the California Senate, relative to memorializing Congress regarding the national-park system in California; to the Committee on the Public Lands.

4098. Also, Joint Resolution No. 28, of the California Senate, relative to Eel River flood control and channel rectification; to the Committee on Flood Control.

4099. By Mr. VOORHIS of California: Petition of Mr. S. Howard Leech, of Baldwin Park, Calif., and 147 others, comprising various lines of business, trades, and professions, stating that every qualified American citizen 60 years of age and over should receive as a matter of right and not of charity a monthly pension, annuity, or dividend, of a sufficient amount to enable that citizen to have sufficient buying power to purchase good food, good clothing, have a comfortable home, and to enjoy the common necessities and comforts of life; and requesting that House bill 5620, which is known as the General Welfare Act, be reported out to the floor of the House for a full and free discussion; to the Committee on Ways and Means.

4100. By the SPEAKER: Petition of Paul K. Blakkan, of San Francisco, Calif., and others, petitioning consideration of their resolution with reference to House bill 6470, Works Progress Administration appropriation; to the Committee on Appropriations.

4101. Also, petition of the city of Cleveland, Ohio, petitioning consideration of their resolution with reference to Works Progress Administration legislation; to the Committee on Appropriations.

## SENATE

THURSDAY, JUNE 29, 1939

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, who hast appointed our times and the bounds of our habitation, who openest for us doors which no man can shut, and who searchest out all the hidden things of men: Help us in these moments of dedication, as we cast ourselves on Thee, to realize the greatness which is ours as children of the highest.

Give us ever true discernment for the hour, that we may seek freely the day's truth and compass heartily the day's duty. In the examination of great questions, keep us serene and calm, and make us ever mindful of the fact that kindness is strength and candor is the courage of the soul. Make us able to go whither our sense of right would lead us; and grant that in the stormy days of manhood's striving, as in the shadowed peace of sunset's glow, we may cherish in our souls visions of the things that shall be hereafter, when all of life's tomorrows shall be sunlit with Thy love. We ask it in our Saviour's name. Amen.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Wednesday, June 28, 1939, was dispensed with, and the Journal was approved.

### CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.  
The VICE PRESIDENT. The clerk will call the roll.  
The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Burke	Frazier	Hayden
Andrews	Byrd	George	Herring
Ashurst	Byrnes	Gerry	Hill
Austin	Capper	Gibson	Holman
Bailey	Clark, Idaho	Gillette	Holt
Bankhead	Clark, Mo.	Glass	Hughes
Barbour	Connally	Green	Johnson, Calif.
Barkley	Danaher	Guffey	Johnson, Colo.
Bilbo	Davis	Gurney	King
Bone	Donahey	Hale	La Follette
Borah	Downey	Harrison	Lee
Bulow	Ellender	Hatch	Lodge

Logan	Norris	Schwellenbach	Tydings
Lucas	Nye	Shipstead	Vandenberg
McCarran	O'Mahoney	Slattery	Van Nuys
McKellar	Overton	Smathers	Wagner
Maloney	Pepper	Stewart	Walsh
Mead	Pittman	Taft	Wheeler
Miller	Radcliffe	Thomas, Okla.	White
Minton	Reed	Tobey	Wiley
Murray	Reynolds	Townsend	
Neely	Russell	Truman	

Mr. MINTON. I announce that the Senator from Wyoming [Mr. SCHWARTZ] is detained from the Senate because of illness.

The Senator from South Carolina [Mr. SMITH] is absent because of illness in his family.

The Senator from Michigan [Mr. BROWN], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Minnesota [Mr. LUNDEEN] are necessarily detained.

The Senator from Texas [Mr. SHEPPARD] and the Senator from Utah [Mr. THOMAS] are absent on important public business.

Mr. AUSTIN. I announce that the Senator from Oregon [Mr. McNARY] is absent because of illness.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

#### VISIT OF CROWN PRINCE AND CROWN PRINCESS OF NORWAY

Mr. BARKLEY. Mr. President, although Norway is a kingdom it has a constitution not altogether dissimilar to our own, in which the Government of that country is divided into three branches. We are honored today by a visit of the Crown Prince and Crown Princess of Norway, who are seated in the diplomatic gallery of this Chamber. We welcome them to our country; we welcome them to the Senate of the United States. We hope that they will enjoy their visit amongst us and that it may be instrumental in further cementing what has always been a profound friendship between Norway and the United States of America.

I suggest that the Members of the Senate rise and greet the Crown Prince and the Crown Princess of Norway.

The Senate, rising and applauding, greeted the Crown Prince and Crown Princess of Norway.

#### APPROPRIATIONS FOR FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS AND DEPARTMENT OF THE INTERIOR (S. DOC. NO. 90)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting draft of a proposed provision pertaining to existing appropriations for the Federal Emergency Administration of Public Works and the Department of the Interior for the fiscal year 1940, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

#### REPORT ON INVESTMENT TRUSTS IN GREAT BRITAIN

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a supplement to the Commission's report on its study of investment trusts and investment companies entitled "Investment Trusts in Great Britain," which, with the accompanying report, was referred to the Committee on Interstate Commerce.

#### DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of State, the Treasury (3), Justice, Post Office, the Navy, the Interior, Agriculture, Commerce, Labor, the Veterans' Administration, and the Farm Credit Administration, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

#### PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a petition of sundry citizens of the State of Kansas praying for the adoption of a policy by the United States of nonparticipation in foreign aggression, and also that the shipment of munitions and supplies to Japan for use in military operations in China be stopped, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of sundry citizens of New York City, N. Y., praying for the enactment of the so-called Wagner-Van Nuys-Capper antilynching bill, and also praying for a prompt investigation of recent lynchings by the Federal Bureau of Investigation, which was referred to the Committee on the Judiciary.

He also laid before the Senate a telegram in the nature of a petition from the executive board of the Women's Sewing Project Local, Workers Alliance, of San Francisco, Calif., praying for the enactment of the bill (S. 2507) to provide a program for the relief of unemployment by affording opportunities for employment upon a public-works program to persons unable to secure private employment, which was referred to the Special Committee to Investigate Unemployment and Relief.

He also laid before the Senate a resolution adopted by the Council of the City of Garfield Heights, Cuyahoga County, Ohio, favoring continuance of the Federal music project under the W. P. A., which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by the mayor and council of the city of Lowell, Mass., favoring the enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which was ordered to lie on the table.

He also laid before the Senate the petition of John Henry Smith, of Longview, Tex., praying for the enactment of legislation to enable unemployed persons to borrow sufficient money to purchase 40 acres of farm land and the necessary equipment therefor, together with residence, barn, fences, and so forth, which was ordered to lie on the table.

He also laid before the Senate the petition of members of the Union of W. P. A. Employees (affiliated with the American Federation of Labor), Washington, D. C., praying for the setting aside of a stipulated sum from the W. P. A. appropriation for 1940 to assist in reopening legitimate stage theaters in the United States where local unions of the above-named organization may function, which was ordered to lie on the table.

Mr. WALSH presented a memorial of sundry citizens of the State of Massachusetts remonstrating against the enactment of the so-called Bloom neutrality measure, which was referred to the Committee on Foreign Relations.

#### THE MONETARY SITUATION

Mr. BORAH. Mr. President, I have a telegram and statement which I think are in the nature of petitions. I ask to have them printed in the RECORD and referred to the appropriate committee.

There being no objection, the telegram and statement were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y.

HON. WILLIAM E. BORAH,

Senate Office Building, Washington, D. C.:

Fred H. Sexauer, contact man for the national farm organizations, as a member of the Committee for the Nation, today released a statement bearing on monetary situation. It would be most helpful if you could introduce this statement into the RECORD. Copy will be delivered to you. At request of Fred H. Sexauer.

COMMITTEE FOR THE NATION.

Commenting on the action of the Senate in rescinding the President's power over the gold content of the dollar, Fred H. Sexauer, who since 1933 has acted as contact man for the national farm organizations on monetary policy, released the following statement, which had been sent to all Members of Congress on behalf of the Committee for the Nation, of which he is a member:



"This action by the Senate in itself does not materially change, so far as price level or business conditions are concerned, the situation that has existed since February 1934, when the dollar was made equivalent to one thirty-fifth of an ounce of gold. It can become an important step forward if Congress will now use the monetary powers which it has recovered to lift the depression, as many other nations have done.

"Farm organizations and the Committee for the Nation have consistently urged that Congress live up to its constitutional duty 'to coin money' and 'regulate the value thereof.'

"The most constructive step that could be taken to bring about a prompt recovery would be the enactment during the present session of Congress of the monetary authority bill drafted by the late Frank A. Vanderlip and introduced into the CONGRESSIONAL RECORD by Senator WILLIAM E. BORAH on June 20, 1936. This bill had the support of the major farm organizations and of the Committee for the Nation.

"The purpose of the bill was to bring money under the control of the Government and to leave credit under the control of bankers. The bill would set up an agency of Congress. A monetary authority as disinterested as the Supreme Court, to maintain a stable dollar with unvarying buying power in relation to a cross section of 30 to 40 of the most important basic commodities. Thus the dollar would be kept constant in relation to the necessities of life instead of a fixed weight of gold.

"There would be set up in America a free gold market, such as exists in England, making it possible for all to purchase and own gold. Simultaneously, silver would also be released in a free market which, with the 1926 price level restored, would mean a 60 cents to 70 cents open-market price for silver without Treasury subsidy. Thus American banks, corporations, and private citizens could own and store their wealth in the precious metals, the prices of which might fluctuate from day to day, as other commodities do, but the dollar's buying power over the average of all commodities would remain constant.

"When the history of the Roosevelt administration is written in its proper perspective, its most constructive and helpful act will be found to have been the restoration of prices in 1933 with the abandonment of the gold standard. This was the course urged by the Committee for the Nation and the national farm organizations. It was not devaluation but a revaluation to remove the swollen and harmful purchasing power that gold had acquired. While the price of gold was raised 69 percent (from \$20.67 to \$35 an ounce), farm and other basic commodity prices rose 67 percent, and the cost of living rose only 3 percent. Three and a half million men went to work in private enterprise in 4 months. Between March 1933 and February 1934 the value of stocks and bonds listed on the New York Stock Exchange increased approximately 50 percent, or more than \$20,000,000,000. Private enterprise was being revitalized and our democratic institutions safeguarded.

"The moving finger of history will also record that the greatest economic error of the Roosevelt administration was abandonment of this policy of restoration of prices by monetary action in favor of a fixed price of gold in January 1934. America, almost the last of the great nations to partially free itself from deflation by leaving the gold standard, was the first to return to it in January 1934.

"Since then, during the past 5½ years, we have had only normal fluctuations in business around a depression level. There was a minor upswing that followed a rise in world gold prices during 1936 and 1937. Then a new wave of world-wide hoarding brought about a rise in the value of gold and a collapse of commodity prices in the latter part of 1937 and 1938, pulling down farm income, general business, and employment.

"With continuing high value for gold resulting from unrest, war preparations, and hoarding, this depressed condition is likely to continue, possibly for long periods. It will be accompanied, if we adhere to the present price of gold, with low prices and distress for farm and other basic commodities, except silver, and by heavy unemployment and poor business conditions, this will lead to an extension of price fixing for agricultural products, continued efforts to regiment business, and more State intervention.

"Is it not time for the United States to heed the experience of the sterling nations? The principal producers among them have increased their prices of gold much more than the United States. Selling their commodities in world and domestic markets for the same reduced amount of gold as our farmers receive, they have an average price, in their own currencies, 30 percent higher than the 55,000,000 farmers and basic producers of the United States. These nations have high employment, profitable business, two to four times as much building activity, and generally balanced budgets. During the past 4 years, with six hundred millions of population, their cumulative budget deficit has been less than one-third billion dollars, while the United States, with one-quarter the population, has had a deficit nearly 40 times greater—more than \$12,000,000,000.

"Since 1929 our price level has been distorted. It has been like trying to play billiards on a stepladder. Those on the floor had to keep calling for subsidies to lift them up.

"It was not lack of productive power since 1929 that caused our distress. Our farms were able to produce food and fiber in abundance. Our factories were the best tooled, under the most efficient management, equipped with the best scientific processes the world has ever known. We had millions of the most skillful workers asking for nothing but a chance to produce and earn. What was at fault was our mechanism of distribution—our monetary system. Chaos was written on our price tags. A free enter-

prise system can function only when the price tags remain in balance under free competition between all groups. Then only can goods and services be exchanged in highest volume. The swollen value of the gold in our dollar still holds the dollar prices of basic products depressed and in unbalance. Only when Congress corrects this shall we have general prosperity. Only then can the whole Nation swap goods and services on a level plane as formerly."

COMMITTEE FOR THE NATION.

#### REPORTS OF COMMITTEES

Mr. BYRNES, from the Committee on Banking and Currency, to which was referred the bill (S. 2697) to facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad, reported it with amendments.

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (H. R. 2296) to restore certain benefits to World War veterans suffering with paralysis, paresis, or blindness, or who are helpless or bedridden, and for other purposes, reported it with amendments and submitted a report (No. 699) thereon.

He also, from the same committee, to which was referred the bill (H. R. 5452) to provide certain benefits for World War veterans and their dependents, and for other purposes, reported it with an amendment and submitted a report (No. 700) thereon.

Mr. GURNEY, from the Committee on Military Affairs, to which was referred the bill (S. 2465) to authorize the award of a decoration for distinguished service to George J. Frank, reported it with an amendment to the title and submitted a report (No. 701) thereon.

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 3364) to transfer the control and jurisdiction of the Park Field Military Reservation, Shelby County, Tenn., from the War Department to the Department of Agriculture, reported it without amendment and submitted a report (No. 702) thereon.

Mr. HOLMAN, from the Committee on Military Affairs, to which was referred the bill (H. R. 4617) for the relief of Capt. Robert E. Coughlin, reported it without amendment and submitted a report (No. 703) thereon.

Mr. MALONEY, from the Committee on Banking and Currency, to which was referred the bill (S. 101) to regulate the issuance of commemorative coins, reported it with amendments.

#### ENROLLED BILLS PRESENTED

Mr. TRUMAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on today, June 29, 1939, that committee presented to the President of the United States the following enrolled bills:

S. 1302. An act to continue in effect until June 30, 1942, the act entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes," approved February 22, 1935, as amended; and

S. 1805. An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. VANDENBERG:

S. 2722. A bill for the relief of Charles Hammond; to the Committee on Military Affairs.

(Mr. LEE introduced Senate bill 2723, which was referred to the Committee on Naval Affairs, and appears under a separate heading.)

By Mr. BONE:

S. 2724. A bill relating to the practice, pleadings, forms, and modes of proceedings and proof in certain causes now or hereafter pending in the district courts of the United States; to the Committee on the Judiciary.

By Mr. SCHWELLENBACH:

S. 2725. A bill for the relief of Richard Rosen, a minor; to the Committee on Claims.

By Mr. MEAD:

S. 2726. A bill for the relief of Annie Reiley; to the Committee on Immigration.

S. 2727. A bill granting a pension to Charles F. Walker; and S. 2728. A bill granting a pension to Nellie M. Benjamin; to the Committee on Pensions.

(Mr. ANDREWS introduced Senate Joint Resolution 163, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. GIBSON:

S. J. Res. 164. Joint resolution providing for the utilization of unfilled immigration quotas in order to colonize Alaska for purposes of national defense and as a market for surplus production; to the Committee on Immigration.

#### MORAL REARMAMENT

Mr. ANDREWS. I introduce a joint resolution for appropriate reference, and request that it may be read.

There being no objection, the joint resolution (S. J. Res. 163) favoring moral rearmament was read the first time by its title, the second time at length, and referred to the Committee on Education and Labor, as follows:

Whereas in 1782 the United States in Congress assembled approved the printing of the Holy Bible and recommended it to the inhabitants of the United States; and

Whereas it is apparent that a revitalization of the moral and spiritual life of this Nation and of the world is greatly to be desired: Therefore be it

Resolved, etc., That this Congress reaffirm the original resolution adopted in 1782 and once more commend to the people of the United States the principles and precepts contained in the Holy Scriptures as America's greatest textbook on right living.

#### THE LATE ENSIGN JOSEPH HESTER PATTERSON, UNITED STATES NAVY

Mr. LEE. Mr. President, on the 23d of last May one officer and 25 men died in the *Squalus*, a submarine of the United States Navy.

I introduce a bill (S. 2723) to provide a posthumous advancement in grade for the late Ensign Joseph Hester Patterson, United States Navy. The bill is as follows:

Be it enacted, etc., That the President is hereby authorized to issue posthumously to the late Ensign Joseph Hester Patterson, United States Navy, a commission as a lieutenant (junior grade) of the Navy with date of rank as of June 4, 1939.

Mr. President, I have here a letter from the father of Pat, as he was called in the Navy, or Hester, as he was called at home. His home was in Oklahoma City. The letter is from Joe H. Patterson, of Oklahoma City. I wish to read in part from this letter, omitting personal references which I deem it not proper to read:

MY DEAR SENATOR LEE: Ensign J. H. Patterson, who, together with 25 other men, went down on the submarine *Squalus* off the coast of New Hampshire, is our youngest son.

Senator LEE, he was to become a lieutenant in the United States Navy on, as he called it, his submarine, June 4. The last letter we received from him was to the effect that he had passed the examination for the promotion to lieutenant, and his lieutenant uniforms had been received; and he was so happy over becoming a lieutenant that he wanted mother and I to come up on June 4 to be present and go over his ship.

Mr. President, I should like to tell the Senate a few things about this young man.

Hester, as he was known at home, never failed in any task he undertook. He graduated at Classen High School in 1930 with the highest honors. The year he spent in Oklahoma City University he was credited with high honors. He graduated from the Naval Academy at Annapolis in 1936. He was the only Naval Academy graduate representing the United States Naval Academy in the Olympic Games. His Naval Academy record will show that he has to his credit more honors and records than any other midshipman graduated.

He was a Christian boy. He was a member of the First Baptist Church of Oklahoma City, and until he entered Annapolis he was a member of the choir of that church.

He was to have become a lieutenant, junior grade, on June 4 last. He was within 11 days of his cherished goal. He was appointed from Oklahoma to the Naval Academy. He was ambitious to be an officer on one of Uncle Sam's ships to serve Uncle Sam on the high seas. No doubt he dreamed of the day when he would receive his promotion as lieutenant. He graduated with honors, and then he was assigned to duty. He was the only officer on the submarine who perished in the disaster of May 23. This bill will make it possible for him to be buried as a lieutenant. He will be buried in Arlington Cemetery. I am sure it will be a consolation to his parents to have him buried as a lieutenant.

What is patriotism? Patriotism is an intangible, invisible something that makes every whisker in your chin and every hair on your head stiffen like wire when you hear the thrilling strains of the Star-Spangled Banner. Patriotism is an intangible, spiritual something that makes the blood drops in the ends of your fingers tingle when you hear the thrilling story of the young Capt. Nathan Hale, and visualize him standing on the scaffold with his hands bound behind him, when you hear the British officer address him, "Have you anything to say before you die?" and then, in your imagination, you see him straighten to his full height, every inch a soldier, and utter those words that will live as long as we live, when he said:

Sir, all that I regret is that I have but one life to give for my country.

Ensign Patterson and the other 25 men who perished on the *Squalus* had only one life each to give for their country, but they have given that life; and we today are more secure because of that sacrifice. Because of that tragedy the United States Navy will make us more secure by improving the mechanical equipment, by improving and perfecting the methods of rescue from submarines.

Therefore I introduce this bill to pay tribute to Ensign Patterson by giving him a posthumous promotion to the grade of lieutenant in order that he may be buried as Lieutenant Patterson.

The bill (S. 2723) to provide a posthumous advancement in grade for the late Ensign Joseph Hester Patterson, United States Navy, was read twice by its title and referred to the Committee on Naval Affairs.

#### WASHINGTON HALL—MESSMORE KENDALL

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the Wisconsin Society, Sons of the American Revolution. This resolution is an expression of appreciation by the society to Messmore Kendall, a native of the State of Michigan, and now a resident of New York.

This distinguished citizen has constructed at the New York World's Fair the colonial building known as Washington Hall. It is maintained by him. The very purpose of that building or institution is to keep alive the thing of which the distinguished Senator from Oklahoma [Mr. LEE] has just spoken—patriotism of the mind and soul and heart.

I ask that the resolution be printed in connection with my remarks and appropriately referred.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The resolution presented by Mr. WILEY was referred to the Committee on the Library, as follows:

Whereas there has been erected at the New York World's Fair a colonial building known as Washington Hall, donated and maintained by Mr. Messmore Kendall, of New York City, president general of the National Society, Sons of the American Revolution, for the use of this society and all patriotic organizations, to serve as an example to the world as the heritage that was handed down by America's founders—the traditions and principles of liberty promulgated 150 years ago still maintained with no serious thought of change—and to house a collection of relics and a display of battle flags of the American Revolution and colonial campaigns; and

Whereas Washington Hall was recently accepted by Mr. Voorhees, vice president of the fair, on behalf of the fair corporation, and confidence expressed that Washington Hall would become one of the major exhibits of the fair; and

Whereas the eyes of the world are on the world's fair today, we, as a nation, should exhibit to the world the proud fact that a



government, founded on the priceless liberties granted by our Constitution, which came into being at the time of Washington's inauguration 150 years ago, is still lasting and an example to all other nations; and

Whereas, in addition to this gift of Washington Hall, Mr. Kendall, as chairman of a committee appointed by Mr. Grover Whalen, of the New York World's Fair, recently arranged for and promoted the reenactment of the journey of George Washington and his escort from Mt. Vernon to New York for his inauguration; secured the personnel of the gentlemen taking the several parts; arranged for the use of the old colonial coach in which the journey was made; and arranged all details of this interesting historical ceremony, the entire performance of which commanded the far-reaching interest and comment of the country, the final reenactment of the inauguration ceremonies being the focal point of interest at the opening ceremonies of the fair; and

Whereas there exists in the world today a spirit of intolerance, both religious and civil, and dictators are crushing the liberties of the people and threatening the democracies of the world, this gift, Washington Hall, becomes an outstanding example that the spirit of liberty and tolerance inculcated into the Constitution by the founders of the Nation still lives and will be a meeting place to keep alive that spirit which is now severely threatened; and

Whereas the hall is more than a museum of most precious relics left to us by our history, it is a shrine for American patriots and a meeting place for all who wish to renew faith in the democratic principles handed down to us by George Washington: Therefore be it

*Resolved*, That the board of managers of the Wisconsin Society, Sons of the American Revolution, extend its grateful thanks to Mr. Messmore Kendall for his generous gift of money and for his leadership in keeping alive faith in America; and be it further

*Resolved*, That this resolution be incorporated in the official minutes of this meeting and a copy, dated June 27, 1939, be forwarded to the Honorable ALEXANDER WILEY, United States Senator from Wisconsin, so that an official record may be made of the acts of this outstanding citizen.

#### CHANGE OF REFERENCE

Mr. MINTON. Mr. President, Senate bill 2674, granting a pension to Charles Lycans, was referred to the Committee on Pensions. The author of the bill, the Senator from West Virginia [Mr. NEELY], has requested, since the subject of the bill is a veteran of the World War, that the bill be referred to the Committee on Finance. I, therefore, ask unanimous consent that the Committee on Pensions be discharged from the further consideration of Senate bill 2674, and that it be referred to the Committee on Finance.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### AUTHORIZATION FOR RIVER AND HARBOR WORKS—AMENDMENTS

Mr. THOMAS of Oklahoma submitted four amendments intended to be proposed by him to the bill (H. R. 6264) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were ordered to lie on the table and to be printed.

#### AMENDMENT OF THE CONSTITUTION RELATIVE TO THE JUDICIARY—AMENDMENT

Mr. ANDREWS submitted an amendment in the nature of a substitute intended to be proposed by him to the joint resolution (S. J. Res. 14) proposing an amendment to section 1, article III, of the Constitution of the United States, relating to the judiciary, which was referred to the Committee on the Judiciary and ordered to be printed.

#### AMENDMENT TO TITLE OF HOUSE BILL 3325—STABILIZATION FUND, ETC.

Mr. TOWNSEND submitted a concurrent resolution (S. Con. Res. 27), which was considered by unanimous consent and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3325) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised are hereby authorized to amend the title of the bill to conform to the action which may be taken by such committee.

#### ADDRESS BY SENATOR MEAD AT AMERICAN LEGION STATE CONVENTION IN NORTH CAROLINA

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD the address delivered by Senator MEAD at Raleigh, N. C., on June 26, at the annual State convention of the American Legion, which appears in the Appendix.]

#### THE FARM, THE PRESS, AMERICA'S FUTURE—ADDRESS BY FRANK GANNETT

[Mr. NYE asked and obtained leave to have printed in the RECORD an address delivered by Mr. Frank Gannett on June 9, 1939, before the Kansas State Editorial Association in Coffeyville, Kans., which appears in the Appendix.]

#### THE DEMOCRATIC, ROOSEVELT, AND AMERICAN WAY—ADDRESS BY J. FRANCIS SMITH

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address entitled "The Democratic, Roosevelt, and American Way," delivered by Mr. J. Francis Smith, chairman of the Democratic State Central Committee of Connecticut, over station WTIC on June 23, 1939, which appears in the Appendix.]

#### ORIGIN OF THE NAME "AMERICA"

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Lt. Col. C. I. Kephart regarding the origin of the name "America," and also a poem by himself, which appear in the Appendix.]

#### THE AMERICAN FLAG—ARTICLE FROM NEWARK STAR-EAGLE

Mr. BARBOUR asked and obtained leave to have printed in the RECORD an article entitled "A Reminder to the Youth of America on Flag Day," published in the Newark Star-Eagle of Wednesday, June 14, 1939, which appears in the Appendix.]

#### STABILIZATION FUND AND WEIGHT OF THE DOLLAR

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a telegram sent to numerous Senators and Representatives by the Committee for the Nation on the Monetary Policy, which appears in the Appendix.]

#### MONETARY POLICY AND MONETARY AGENCY

Mr. LOGAN. Mr. President, on the 15th day of June of this year I introduced a bill (S. 2606) amending the Federal Reserve Act; declaring a monetary policy; establishing and instructing a monetary agency, and for other purposes. I am seeking light in regard to the proposed legislation. I invite every student of our monetary policy, every political economist, to examine this bill, and I will appreciate it if they will write me, making such criticisms and suggestions as may occur to them.

I now ask unanimous consent to have printed in the RECORD, as a part of my remarks, Senate bill 2606, to be followed by a commentary on the bill, by way of explanation.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 2606) amending the Federal Reserve Act; declaring a monetary policy; establishing and instructing a monetary agency, and for other purposes, is as follows:

*Be it enacted, etc.*, That (a) it is hereby declared to be the duty of the Congress of the United States exclusively, to create and regulate the value of money through an agency subject to the instruction of Congress and the removal by Congress in the event that such agency at any time fails to enjoy the confidence either of the Senate or the House of Representatives.

(b) The word "money" as employed in this act includes metallic and paper currency and the demand bank deposits and checks drawn thereon employed as a medium of exchange.

SEC. 2. (a) The Board of Governors of the Federal Reserve System shall in future have the title of the Federal Reserve Board (hereinafter called the Board). The Board shall consist of 12 members, one for each Federal Reserve district, with terms running from 1 to 12 years with the same annual salary and perquisites as now provided by law. Upon the retirement of any individual member of the Board during his service, his successor shall hold for the balance of the term for which his predecessor was chosen. Upon the termination of the full term, the successor of such member shall be appointed for a period of 12 years. The members of such Board shall be nominated by the President and confirmed by the Senate. The President shall designate in making the nomination the terms of each nominee, beginning with the 1st day of March 1940. The Board, when established, shall annually select its own chairman and vice chairman. The authority of the Board shall include all powers at present enjoyed by the Board of Governors of the Federal Reserve System, and such other powers as may be authorized by law.

(b) After the organization of the Board, as herein provided, the Federal Reserve banks shall be operated as one institution with 12 branches and subordinate branches as now or hereafter established.

(c) The Board shall, after the passage of this act, exercise complete control over the personnel of the Federal Reserve bank with the power to remove for the good of the service. The directors of the Federal Reserve banks shall retain their offices until the organization of the Board herein provided for, and thereafter until the Board appoint their successors in office. The Board shall have the right to appoint class A, B, and C directors. The Board shall appoint managers as the executive heads of the district branches and subbranches of the Federal Reserve bank.

(d) The Federal Reserve advisory council and the Open Market Committee shall cease upon the passage of this act. The authority vested in the Open Market Committee shall be exercised exclusively by the Federal Reserve bank under the direction of the Board.

(e) The power to regulate the volume and value of money as authorized and directed by the monetary policy of Congress shall be exercised by the Board.

Sec. 3. The Secretary of the Treasury is hereby directed to place to the credit of each member bank of the Federal Reserve System an amount of money equal to the amount paid by such member bank for its stock in the Federal Reserve bank of its district with 6 percent interest upon such amount from the date of the last dividend up to the date of the passage of this act, whereupon, such stock certificates shall be delivered to the Secretary of the Treasury and canceled. Upon the passage of this act all of the assets, property, rights in law and equity, of the Federal Reserve banks and the branches thereof shall be vested in the United States Government and the liabilities of the Federal Reserve banks shall be the liabilities of the United States; and such banks shall be an agency of the United States for the purposes of this act in the issue of money as herein defined and the regulation of the value thereof. Such banks, as one institution, shall be subject to the Board in pursuance of the instructions and policy of the Congress of the United States.

Sec. 4. (a) The Federal Deposit Insurance Corporation shall hereafter exclusively examine the member banks of the Federal Reserve System and shall be subject to the direction of the Board.

(b) All insured banks are hereby declared to be members of the Federal Reserve System and entitled to the rights and subject to the liabilities of membership of the Federal Reserve bank in their respective district subject to rules and regulations to be prescribed by the Board.

(c) The examination of such member banks by the Federal Deposit Insurance Corporation shall be without cost.

(d) The Federal Deposit Insurance Corporation shall insure all member banks against the dishonesty of officers and employees and against robbery and assess the cost annually against the member banks in proportion to their deposits as of June 30 of each year.

(e) The double liability of stockholders in member banks shall cease after the passage of this act.

(f) Any member bank in temporary distress shall receive the assistance of the Federal Deposit Insurance Corporation where reorganization is practicable through local support.

(g) Remittances of a member bank to the Federal Reserve bank of its district shall be credited when received, with such exceptions as may be found expedient by the Board.

Sec. 5. The office of the Comptroller of the Currency shall be transferred and become a subdivision of the Board, and subject to the supervision thereof.

Sec. 6. (a) It is hereby declared to be the monetary policy of the Congress of the United States to provide an adequate supply of money, without redundancy, to meet the needs of the country in achieving maximum consumption and production; to correct the present depression, and to prevent future depressions and future indefensible expansion of money for speculative purposes.

(b) It is hereby declared to be the policy of the Congress to restore the index of the purchasing power of money to the standard established in 1926 by the Department of Labor and to maintain that standard, subject to the future orders of the Congress, in order that the Nation may have a monetary unit of account of uniform, permanent, debt-paying, purchasing power. The Board is charged with the duty of carrying out this policy by the purchase and sale through the Federal Reserve banks of bonds and bankable assets, and through all other means at their disposal. The Board shall inform Congress directly, without delay, of any additional power necessary to carry out the policy of Congress as herein declared.

(c) The Secretary of the Treasury is hereby instructed to cooperate with the Board to make effective the policy of Congress herein set forth.

Sec. 7. The paper currency of the United States shall hereafter consist of one form only, to be designated as "United States Currency" on the face of each note issued. Such currency shall be issued in the manner now provided by law for other issues in denominations similar to the present outstanding paper currency. All other forms of paper currency, including gold and silver certificates, shall be recalled and exchanged for the new United States Currency, as rapidly as it can be conveniently done, under the orders of the Board. The Board shall have the authority to direct the issue of currency in larger denominations for the use of the Federal Reserve bank.

Sec. 8. (a) All member banks shall be required, within 1 year after the passage of this act, to keep with the Federal Reserve bank the amount of its demand deposits in cash or credit, or in the bonds or notes of the United States, or obligations underwritten by the United States. The Federal Reserve bank, on the request of any member bank, shall buy such securities held by the member bank

at the current market value, but not less than par, and give the member bank credit therefor. Any maturing obligations of the United States in notes or bonds shall be bought by the Federal Reserve bank at par.

(b) Any member bank requiring assistance to comply with this section shall have the right to hypothecate securities in sound bankable assets, with the right of substitution, and hold the same in trust for the Federal Reserve bank until such member bank by the sale of additional stock can provide the capital necessary to meet the requirement regarding its reserves.

Sec. 9. The Federal Reserve bank, in the event that there is need to contract the volume of outstanding credit, may sell its own obligations bearing an interest not exceeding 3 percent for the purpose of preventing indefensible credit expansion.

Sec. 10. Member banks are hereby authorized to make a reasonable charge for the keeping of accounts of depositors, not exceeding \$1 a month for such service, and a further charge of not exceeding 10 cents a hundred dollars for checks paid by and through the member bank of deposit. Such member bank is authorized to act as an agent of a depositor, with his consent and approval, in making a loan on the depositor's account out of his demand deposit, and to make a reasonable charge therefor.

Sec. 11. The Board is hereby authorized and directed to create annually an amount of money equal to 4 percent of the amount of deposits estimated as of June 30 of the preceding year and place the same to the credit of the Treasury of the United States, general fund, to be employed subject to future acts of Congress in meeting the expenditures required under the Social Security Act, or in furnishing credit required for public relief or for constructive public enterprises.

Sec. 12. The Board is hereby instructed to make a special report to the Congress on the question of rates of interest in countries engaged in competitive commerce and to advise the Congress of the United States with regard to the rate of interest which should be employed in the United States as a means of enabling American enterprises to compete successfully with foreign commerce.

Sec. 13. This act shall be known as the Monetary Policy Act of 1939.

The explanatory statement submitted by Mr. LOGAN is as follows:

#### COMMENTARY ON SENATE BILL 2606

Section 1 of this act is a recognition by Congress of its duty to exclusively create and regulate the value of money as contemplated by the Constitution of the United States. The Supreme Court has held—in the Legal Tender cases—that Congress, and Congress alone, is charged with the power to create money. The Constitution, article 1, section 8, paragraph 5 explicitly authorizes Congress "to coin money and regulate the value thereof." The Supreme Court has held that the word "coin" applied to paper currency as well as metallic currency. Congress can only do this effectively through an agency of Congress, subject to the direction of Congress and subject to removal by Congress when the agency ceases to enjoy the confidence of Congress. It is believed that the service would be more efficient if the members executing this duty should be subject to removal by a resolution of either the Senate or the House of Representatives, since an agency of such importance should enjoy by its conduct the confidence both of the House and of the Senate.

The term "money" is defined in section 1 because that word is frequently used as applying only to legal-tender currency, while under the development of the modern banking system of the last half century over 90 percent of the monetary business of the people of the United States is transacted through checks drawn against demand deposits. These checks, under the banking system, are convertible on demand into legal-tender money. Such checks function as a medium of exchange and measure of value. Such checks, therefore, come within the meaning of the term "money" as defined in modern dictionaries as "anything conventionally employed as a medium of exchange and measure of value." Heretofore the demand deposits on which checks are drawn have been in very large part created by loans of the banks and contracted by the liquidation of loans. In this manner there has been no public control of the volume of such money, resulting in such money being created in excess at times and at other times contracted with injurious economic consequences. The present bill proposes to terminate this system and regulate the value of money by Congress through the regulation of the volume of money.

Section 2 restores to the agency of the Congress the original name, "Federal Reserve Board," for the reason that the connotation, "Board of Governors of the Federal Reserve System," might indicate that the powers of regulating the volume and value of money are subject to the will of the Governors instead of subject to the will of Congress. It is of importance that there should be no misconception as to where the power of government rests in relation to the volume and value of money, and that it rests exclusively in Congress.

Section 2 also provides for one member of the Federal Reserve Board for each Federal Reserve district in order to give every district an opportunity of representation upon the Board. This section provides for terms of 1 to 12 years, each successor to the first 12 members of the Board to serve a full term of 12 years. This staggers the terms of members. The authority in the President to nominate the 12 members will give the opportunity of reorganizing the Board and renominating those whose service has been found acceptable and to discontinue the service of those who may not be



regarded as desirable for this service. It gives abundant time for the consideration of this question.

It is essential that the Board should exercise complete control over the personnel of the Federal Reserve bank and its branches in order that the management shall be in complete sympathetic relationship with the Congress of the United States and its policy.

The Federal Reserve Advisory Council has proven to be inefficient and harmful and should be discontinued.

The open-market committee as established has proven to be entirely inefficient and under such rules and regulations as to prevent the powers of the System being employed in the protection of the stability of commerce and industry.

The powers should be exclusively in the hands of public officials under the direction of the policy of the Congress.

This section places the power in the hands of the agency which is to execute the will and the policy of the Congress.

Section 3 reimburses the banks about \$135,000,000 invested in the stock of the Federal Reserve banks and transfers the ownership completely to the United States Government.

The first great reason for this ending of the private ownership of the Federal Reserve banks is that these banks were established for the purpose of concentrating and safeguarding the deposits of the people of the United States in the member banks. There are now over 60,000,000 of these deposits amounting to \$60,000,000,000, nearly half of which are demand deposits. Under the private ownership of these banks private views and policies have exercised control through 6 out of 9 directors of the 12 Federal Reserve banks. Under such management since 1920, 16,000 individual banks have been put out of business through the mismanagement of the Federal Reserve System. This is the least of the evils. The statistical records disclose that the people of the United States have lost in products and services over \$200,000,000,000 that they might have enjoyed under a stable condition of banking; and in addition to this, they have failed to achieve additional billions through the expansion of American production, which was easily possible under a sound system.

The people of the United States, through their Government, have a very much larger interest in the Federal Reserve banks in money than the so-called stockholders of the Federal Reserve banks. The stockholders have about \$135,000,000 invested in stock. The United States has advanced to the Federal Reserve System approximately \$4,500,000,000 of Federal Reserve currency without interest. The money so advanced to the member banks has been available for lending to the American people at high interest rates and the people have been paying high interest rates for the use of the money thus created by the exercise of the sovereign power of their Government.

Nor is this all. The Federal Reserve banks under the Gold Reserve Act of 1934, which few people understood, now holds about \$12,500,000,000 of gold certificates, giving these privately owned banks the ownership of the gold which was taken from the citizens of the United States. Giving these gold certificates to the Federal Reserve banks is a singular anachronism because the gold certificate is not legal tender money in the United States, and if the member banks wanted to withdraw their reserves to satisfy their depositors, they could not use the reserves represented by gold certificates. There is no foreign demand for gold from the United States; it is all flowing to the United States, where it is not employed as a medium of exchange.

The people of the United States, therefore, have approximately \$16,000,000,000 represented by gold certificates and Federal Reserve notes not to mention the billions of securities held by the United States to protect the advances of the Federal Reserve notes.

Since the people of the United States, therefore, have a hundred times as much invested in the Federal Reserve banks as the stockholders of the Federal Reserve banks, and since the public policy requires public control instead of private control, there is no answer to the reasonable demand that the United States should refund the stockholders the money they have employed, with reasonable interest thereon, and liquidate this undesirable ownership of the stock in the Federal Reserve banks.

Section 4: At present the examination of banks is made by the bank examiners of the Comptroller of the Currency, by the bank examiners of the Federal Reserve banks, by the State bank examiners, and by the examiners of the Federal Deposit Insurance Corporation. There should be but one competent examination under a policy representing the policy laid down by the Congress of the United States. The examination should be made with a view to conserving the banks rather than destroying them through the destructive examinations which have been carried on during the last 19 years where bank examiners were frightened by the shrinkage of the assets of banks and of the solvency of bank depositors. Their examinations, based upon fear, have often been drastic and ruinous, causing the unnecessary liquidation of thousands of banks which might have been conserved under a wiser policy. The Federal Deposit Insurance Corporation, which insures the deposits, has a primary motive of self-interest to protect such banks against the destruction of their assets. The proposed plan would leave the Federal Deposit Insurance Corporation under the guidance of the Federal Reserve Board of arranging with the State banking authorities so that the banks might be thoroughly examined without unnecessary duplication and costs.

All insured banks should be made members of the Federal Reserve System in order that the people of the United States might enjoy one homogeneous banking structure operating under the monetary policy established by the Congress of the United States. All of these banks are engaged in interstate commerce and under

the decision of the Supreme Court in the Associated Press case, the right of Congress to require the State banks to be members of the Federal Reserve System is clearly established.

The examination of these banks should be without cost to the member banks. The bank examiners should be paid a reasonable salary for their services that would enable them to discharge their duties more efficiently. The earnings of the Federal Reserve System under the new proposed public management would be increased in so important a way that the cost of the bank examination would be negligible in relation to the increased revenues of the Federal Reserve bank operating under the policies herein proposed.

The insurance of the individual member bank against the dishonesty of officers and employees or bank robbery, assessed against the total bank deposits of \$60,000,000,000, would be a negligible cost to the banks and put behind the protection of each individual member bank the full powers of the Government of the United States as a great public service in stabilizing and protecting our banking structure.

The double liability of stockholders under these conditions of insurance should cease: (1) Because it would be unnecessary; and (2) because it would cause capital to flow more freely into the investment in stocks of member banks throughout the United States where the bank could lend its own capital profitably and thereby build up locally a volume of credit in sections where the necessary capital is lacking for constructive purposes.

The protection of the individual bank gives safety to the individual unit of which the entire structure is composed, and thus establishes a condition of confidence and public respect for the banking system everywhere. We have heard much in past years of "loss of confidence." The restoration of confidence must depend upon a sound structure which justifies confidence as a matter of common sense. It is for this vital reason that the public control through Congress of our monetary system has become of vital importance.

There is no sound reason why remittances made by member banks to the Federal Reserve bank for collection elsewhere should not be credited upon the day received. It is rare that such a remittance for any reason is returned and it is always immediately liquidated by the bank through charging the item back against the remitting bank and yet the total of these remittances to the member banks of the country currently amount to over \$500,000,000. Holding all of these items in suspension adds seriously to the cost of administration and complicates the System unnecessarily. This one item would be equivalent to increasing the capital of the banks of the System without cost to the extent of the floating checks in transit.

Section 5: The office of the Comptroller of the Currency, built up as the means of examining the national banks, should now be advantageously transferred to the office of the Federal Reserve Board. The activities of the individuals in that office would merely be under the supervision of the Board and made an auxiliary in carrying out the policy of the Congress. Under the direction of the Federal Reserve Board the duties now exercised by the office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation and the Federal Reserve banks can be effectively reconciled and simplified in pursuance of the policy of one examination only by one competent authority as representing the United States, instead of four different authorities having a like purpose.

Section 6 declares the monetary policy of the Congress of the United States. First, to provide an adequate supply of money so that the flow of goods and services shall go hand in hand with the flow of money necessary to pay wages and salaries for products and services.

The records completely demonstrate during the last 10 years that as the flow of money was contracted it was almost immediately followed by a loss in consumption and production. The money created by the banks through the loans in 1929 contracted approximately \$20,000,000,000 when the loans contracted \$20,000,000,000. And when the money contracted in this manner, the ordinary revenues of the United States Government fell off one-half from 1929 to 1932, and the exports and imports of the United States during the same period of time fell off approximately two-thirds, and the value of check money debited on the books of the banks fell off approximately the same. The check money of 1929 amounted to \$1,227,000,000,000. It fell to \$450,000,000,000 in 1932 and even in 1938 was only \$530,000,000,000, whereas in 1926 it was \$845,000,000,000. It, therefore, follows that the necessity for furnishing an adequate supply of money to transact the business of the country should be obvious, and that the money should be in sufficient volume to pay for the wages of 12,000,000 additional people, now unemployed.

Mr. Lammot du Pont, in his evidence before the Senate Special Committee to Investigate Unemployment, in the Seventy-fifth Congress, stated that about \$25,000,000,000 was necessary to create the capital necessary to employ 3,000,000 workmen in factories, but that such employment would restore seven and one-half million to other jobs in private industry. In other words, his estimate was \$25,000,000,000 for ten and one-half million people.

There is at present probably ten or twelve billion dollars of frozen demand deposits held as reserves and held for future investment. These reserves cannot be expected to return to circulation until a complete spirit of confidence is restored, a rising market established, and the dollar index brought down from its present abnormal point of 131. It should be clear that an adequate supply of money is absolutely essential to turn over a

maximum amount of goods and services produced by the maximum number of people capable of employment.

It should be obvious that until the abnormal index of the purchasing power of money, now at 131, be brought down to the pre-depression standard of 1926, that justice cannot be done to those who are in debt. These debts amount to over \$200,000,000,000. About \$60,000,000,000 represent bonds of the United States, States, cities, and counties. Besides these there is a great volume of bonds issued by industrial, transportation, and other corporations. Justice between debtor and creditor requires that the dollar index be brought back to its normal standard fixed by the Department of Labor in 1926.

When this standard shall have been established and an equitable basis of settlement between debtors and creditors provided, it should be perfectly clear that such a standard should remain unchanged so that the dollar, or monetary unit of account, should have between debtor and creditor a uniform, permanent, debt-paying purchasing power. The creditor is entitled to receive the value he loaned, and nothing less than this, for principal and interest. The debtor should not be required to pay any more in value than he borrowed, for this is dishonest and unfair to the debtor and often ruinous both to debtor and creditor by ending the process of creating values by human labor.

In order to preserve the index of 100 it is necessary that the volume of money should increase in proportion to the volume of commodities created. In other words, if the index of industrial production rises 10 percent by creating 10 percent more goods, the volume of money should rise 10 percent in order that the money supply in relation to the supply of products should not be changed.

Since the index of industrial production is a dependable fact, it comprises one of the means by which to know when the volume of money should be increased or diminished. The normal growth of production through the increase of population, improved inventions, and increased power is about 4 percent per annum. For that reason it may be fairly estimated that when the price level is restored, a 4-percent per annum increase in production and in the supply of products and money should take place to preserve a stable price level. The power to expand and contract the money supply is by this monetary policy of Congress put in the hands of the Board with abundant power to carry out the policy laid down by Congress.

There should be no alibi. The Board should have the power. They should have the responsibility. They should be subject to immediate removal by either House of Congress if they fail to discharge their duties as instructed by Congress. They should be required to report to Congress anything they think immediately necessary by which to make more effective the policy which Congress has laid down.

The Secretary of the Treasury is required to cooperate with the Board in making effective the policy of Congress.

Section 7 provides one form of paper currency to be called "United States currency."

Under the national banking system there were thousands of different forms of national-bank notes, a different set of forms for every bank, and notes running from \$5, \$10, \$20, \$50, \$500, \$1,000, and \$10,000. These notes are now being retired.

There still remain 12 different sets of Federal Reserve notes, one set for each of the 12 banks. There are also silver certificates, gold certificates, the notes issued in 1890, and the notes issued during the Civil War and Federal Reserve bank notes. Since all paper and metallic money are now legal tender under the act of 1933, there is no reason whatever for maintaining these archaic forms of paper currency. One form is enough. One form is cheaper. It is much easier to keep the accounts of one form of outstanding notes. And the confusion in the public mind about money would be largely removed by one simple form of United States currency of suitable denominations. It could be made more difficult to counterfeit these notes. A still greater care could be exercised in the manufacture and engraving of such notes, in their numbering and in other safeguards.

Section 8: This section covers the monetary principles known as the 100-percent reserve against demand deposits. Its chief purpose is to prevent privately owned individual banks from the uncontrolled creation of check money, by which 97 percent of our monetary business is transacted, and to compel such demand deposits to be created by the Federal Reserve bank as an agency of the Congress.

It has been fully demonstrated that booms and depressions in the United States, from which 16,000 banks have failed during the last two decades, are due directly to the uncontrolled private expansion and contraction of the money supply of the people of the United States in the form of demand deposits and checks drawn thereon.

The manner in which this money is expanded and contracted is definitely shown by the volume of checks debited against the books of the banks during the last 10 years. From the normal supply of such checks of \$845,000,000,000 debited in the normal predepression year of 1926, such check money was expanded to \$1,227,000,000,000 in 1929 and fell to \$450,000,000,000 in 1932, and was for 1933 only \$530,000,000,000.

The economic and financial ruin that followed this unwise method of expanding and contracting the money supply of the people of the United States has been fully demonstrated by the tables set forth in Senate Document 23 of this Congress, copies of which have been sent to every Member of the Senate, and with which Senators must be now completely familiar.

One of the enormous economic consequences to which attention may be called was the destruction of the imports and exports business of the United States, which fell to one-third in 1932 of what it was in 1929. When the check money fell to one-third, the exports fell to one-third, and the imports fell to one-third. The building of homes fell to one-tenth of what it had been at the high point of 1929 to what they were at the low point in 1932.

The value of the average certificate of stock listed on the New York Stock Exchange fell from over \$81 a share to less than \$12 a share, from the high of 1929 to the low of 1932, causing bankruptcy throughout the United States and giving to the ownership of the best industrial securities in the United States an element of hazard and unreality rendering unstable our entire economic structure. When the check money fell from \$1,227,000,000,000 in 1929 to \$450,000,000,000 in 1932, unemployment suddenly increased to the extent of approximately 14,000,000 people, requiring the Nation to use its resources for the relief of those who otherwise would have starved.

Another economic result of the violent contraction of our money supply was the loss of freight-car loadings by the railroads. When the people are thrown out of employment and are deprived of the means to buy goods and services, our national production falls on a vast scale through unemployment, freight-car loadings go down, and the chief income of the railroads is so diminished as to cause bankruptcy for many and embarrassment for all. These economic consequences are fully set forth in Senate Document 23, with statistics furnished by the Board of Governors of the Federal Reserve System, to which attention of Senators is expressly called. On pages 92, 93, 94, 95, and 96 will be found monetary charts showing the manner in which the American people have expanded and contracted their banks, bank deposits, and check money and the economic consequences which contemporaneously take place.

It is the intention of this section of the bill to make impossible the destruction of the money supply of the people of the United States by taking from privately owned banks the power to create and destroy the money of the Nation.

When the banks expanded their loans to private business to \$41,600,000,000 as of June 30, 1939, and within 3 years contracted those loans \$20,000,000,000, the volume of money held as demand deposits was contracted by \$10,000,000,000 and as time deposits by \$10,000,000,000. The time deposits were converted into demand deposits and the demand deposits employed to pay off \$20,000,000,000 of debts due the banks.

It is futile to blame anybody for a national system which has grown up during 100 years. It should be enough to point out the folly of the past system and its ruinous consequences and to provide an adequate remedy. This the present bill proposes to do in a downright, forthwith manner that shall substitute for chaos order and constitutional government in the creation and regulation of the value of money.

There need be no doubt of the method proposed by this bill to expand or to contract and thereby to regulate the value of money by regulating the volume. Under this bill the Federal Reserve bank, by the purchase of bonds and bankable assets, can expand to the extent necessary. This can be done merely by the Federal Reserve bank, under the Federal Reserve Board, buying nonliquid bonds and bankable assets and converting them into liquid demand deposits. If the now frozen demand deposits should be again restored to use as a medium of exchange by the present demand-depositors, and if any excess were threatened, there is a complete automatic check and authority provided. The Federal Reserve Board and Federal Reserve bank are given the power to immediately contract the excess demand deposits by the sale of securities issued by the bank at not exceeding 3 percent per annum—this is provided for in section 9 of the bill—to the extent necessary. Moreover, a ceiling is provided for automatically preventing indefensible expansion, because before indefensible expansion could take place the dollar index would have to be restored to the normal predepression level of 100—the standard set by the Calvin Coolidge administration in 1926, when conditions were normal. Since the bill provides that the dollar index shall be restored to a normal predepression level and shall not be permitted to go below the normal predepression level, the danger of actual inflation through the expansion of the money supply is automatically prevented.

Those interested in the detailed study of this question of 100 percent reserves against demand deposits are advised to see Senate Document 23 and the books by Irving Fisher, of Yale, and others on this subject matter. The policy of 100-percent reserves has been considered and studied under a special committee of political economists and replies have been received from over 200 professors of political economy who approve this automatic method of preventing either expansion or contraction to an indefensible extent of our credit money. The effect of section 8 of this bill is to put the responsibility of the money control where it belongs, in the hands of the people of the United States through the Congress of the United States by the adoption of a monetary policy which would automatically control the money supply of the country so as to make it adequate in volume to the volume of products and services and to prevent in future either unjustified booms or unjustified depressions.

Section 8 sets up the mechanism by which every member bank can easily comply with the requirement proposed. The section gives plenty of time, which only a comparatively few of the banks now require since nearly all of them could immediately comply with the provision.



Section 10 recognizes an existing practice by many banks and legalizes it. The banks are authorized to make a reasonable charge not exceeding a dollar a month for the keeping of the accounts of depositors, for cashing their checks, for identifying and being responsible for the correct handling of such items and identifying and verifying the checks of the depositor and of his payee, and safely transferring the credit from one to the other. These services are important. Upon the correct keeping of these accounts many businessmen make up their annual income-tax returns and are saved the cost of extra bookkeeping work by themselves or their employees. The banks render the most valuable service in these matters and are put to an expense in discharging these duties. There are over 60,000,000 of such accounts representing \$60,000,000,000 of deposits with an annual turnover of from 10 to 20 times the total of such deposits.

No just man would be willing to deny the banks a fair return of the capital invested and of the labor performed in attending to this vast monetary business. Every city and county in the United States desires the banks to be successful and adequately compensated. The American people desire stability for the banks. The depositors and the stockholders and the officials of the banks are all interested in their successful management.

When a bank pays checks amounting to a thousand dollars, it is not an unreasonable charge that the bank should have a fee of \$1 for the reasonable work performed in handling such volume of checks. The bill only imposes a maximum of charges. It still leaves special cases the liberty of individual agreement in the charges made.

The banks, moreover, not creating demand deposits, should be at liberty as an agent of the depositor to lend the money of the depositor to any borrower who can give the depositor an adequate security. This transaction would not create money. It would only permit money to be loaned by one citizen to another citizen giving the bank a decent fee to be agreed on for the transaction of this business. Under the new system, therefore, there will be no danger of a lack of actual money available for the business of production, transportation, merchandising, and distribution of products and services; and there will be no danger of an excess of such supply of money. It would therefore follow that there would be stability not only in the debt-paying, purchasing power of the monetary unit of account—the dollar—but there would be stability in the value of all forms of property invested in this dollar to the extent possible through the wise control of the volume and value of money. It would stabilize the value of labor and of professional fees and prevent fixed charges being unduly high or unduly low since fixed charges could then be adjusted to a monetary unit of fixed purchasing power.

It should be remembered that the index of the price level represents a volume of money employed in the wholesale commodity markets and that the price level has no relation to the individual variation of the prices of individual commodities as affected by the abundance or scarcity of such individual commodity. The proposed plan, however, does mean that the unjust fluctuations of all commodities and all services shall cease through monetary control, leaving the people able to deal with individual commodities as the exigency would require in each individual case.

Section 11 merely provides for the creation annually of a 4 percent addition to the volume of money to meet the 4 percent addition in the volume of products and services which normally takes place through the growth of population and the employment of the facilities of manufacture and distribution. The present method of raising the funds for social security involves enormous amounts of bookkeeping, unnecessary administrative labor, and is unsound in principle to the extent that the process contracts the demand deposits and contracts the money supply from those consumers whose expenditure as consumers goes far to prevent the depression in the value of the products and services created by the people. Our present system has developed incomes so great in the hands of 2 or 3 percent of the people that taxes are now adjusted so as to attempt to prevent this disparity in the distribution of the products and values created by human labor and human invention.

The expenditures for such public relief and for public works and constructive development of the national resources can thus be provided without taxing anybody. The money would be created by the Government itself to meet the increased national production and prevent the dollar from rising unjustly in its purchasing, debt-paying power.

Section 12 is one of the most important sections in the bill. It deals with interest on the use of money. In a highly philosophical sense, the money created by the sovereign power of the people as a utility and as a medium of exchange and as a storage of value would be better employed if confined to the purposes for which the sovereign power created it, that is, as a medium of exchange and storage of value. There is a grave question whether speculation in money, which leads to violent changes in its purchasing power and in its debt-paying power, is not one of the gravest of our modern evils.

But at all events, the American businessman, who must have the use of money in manufacturing, transporting, and merchandising and furnishing of goods and supplies and services, should have the use of money on terms as favorable as the businessmen of commercially competitive nations.

In the reports of the monetary commission of 1908, submitted in 1912, it appeared that businessmen of Belgium had had a 3 percent rate of interest without a break for 50 years preceding the World War; that the people of France had substantially the

same rate; and that the people of England, engaged in commerce, also had a low rate of interest, while in the United States the 6 percent rate was the usual rule, with a 10-percent rate in many parts of the country expressly authorized by law. As a matter of practice, a much higher cost was imposed on borrowers whose needs were great and whose opportunity to produce led them to use borrowed money for production. In order to have the American businessmen able to compete with the nations of the world, the American businessman should have an interest rate as low as that of his competitors. Especially should this be recognized, remembering that people in many other lands have such a restricted supply of domestic money that their labor costs are very much less than in the United States. This is true not only with regard to the European nations but particularly with regard to Japan, China, and India. If all nations of the world should follow the example we propose in this bill, of creating their own domestic money and preventing the undue speculation in it, labor in all countries might, by international agreement, be raised to the same level of dignity and the same comparative wage, measured in terms of gold as an international standard. It may take many decades for the world to reach the stage where this could be made possible, but with modern processes of communication and with modern development of intelligence and understanding of the monetary question, it is not impossible that the world may see a vast change for the better in the use of money as a domestic medium of exchange and as a medium of international exchange covering trade balances or transfers of capital.

Section 11, however, provides merely for a report to the Congress as to the rate of interest enjoyed by the citizens of competitive nations as compared with the rate of interest employed in the United States by its business people.

This bill does not expressly provide for the complete protection of the smallest banking units, but in the banking structure of the United States the power of the whole people through the Federal Reserve Board should be exerted to prevent any honestly managed bank a member of the System from failure through any incident preventable or capable of reasonable repair. The loyalty of the citizens to their Government should be reciprocated by an equally intense loyalty of the Government to the citizens. Under the Federal Reserve System as proposed and the Federal Deposit Insurance Corporation as set up, there is no need for the failure of any bank in the United States honestly administered. It should be a disgrace to the Federal Reserve System to permit any honestly managed bank to fail. The measure of the disgrace to the Federal Reserve System of the last 20 years is recorded in 16,000 cases of bank failure. The time to remedy this enormous evil is now. Any postponement of this matter from consideration and action would deserve the deep disapproval of the people of the United States whose suffering in the last decade no human being has the language to describe.

#### TENNESSEE VALLEY AUTHORITY

Mr. NORRIS. Mr. President, some time earlier in the present session the Senate passed a bill authorizing the Tennessee Valley Authority to complete and carry out a tentative agreement they had made with the Commonwealth & Southern Co. for the purchase of the Tennessee Electric Power properties in Tennessee and Georgia. The bill passed the House with an amendment striking out all after the enacting clause and inserting the text of a new bill.

In due time the bill went to conference. The conference committee had several meetings and had a great deal of discussion, extending over the past week or two. The conference committee were unable to agree, and adjourned on last Friday. They reconvened yesterday at the request of the chairman of the House conferees, Representative MAY. The session lasted but a few minutes, and broke up again because the conferees were not able to agree.

Representative MAY, the chairman of the House conferees, has issued for publication in the newspapers a long statement, which I hold in my hand.

A great many assertions made in this statement I think are unwarranted, and I believe unjustified by the evidence, but I desire to take up only one. Mr. MAY says, and truly says, that at the meeting held yesterday at his request he made a proposition of compromise. Senators must remember that the bill as it passed the Senate provided for the issuance of \$100,000,000 of bonds. The House bill provided for the issuance of bonds in the amount of \$61,500,000. So that the conferees had that difference of opinion on that point to work on.

Everyone knows the conferees could not report a bill providing for more than \$100,000,000 of bonds or less than \$61,500,000 of bonds, because that was the scope of the difference between the House and the Senate. Yet this proposition which Mr. MAY made—and his own statement shows it—was that the House conferees would compromise on an agreement to issue \$45,000,000 of bonds. Of course, that was rejected by

the Senate conferees, and I stated then to Mr. MAY that we could under no circumstances agree to that because it was without our jurisdiction entirely. We could not go lower than the House figure and we could not go higher than the Senate figure. All the conferees agreed to that, all acknowledged that that was true, including Mr. MAY himself.

Other matters were discussed, but this one proposal was what broke up the conference. We could under no circumstances agree to it, and everyone admitted that if we did agree on the amount proposed the report would be subject to a point of order both in the House and in the Senate, and everyone knows that the point of order would have been made by some 1 of at least 25 or 30 Senators and more than a hundred Members of the House.

I desired to make this statement, because if the newspapers should print all of the statement of Mr. MAY, who admits in his statement that what I have stated was the proposal, and if Senators should read the statement I think they would be entitled to know why the conference committee has not agreed.

#### CIVIL REMEDIES AGAINST VIOLATIONS OF ANTITRUST LAWS

Mr. O'MAHONEY. Mr. President, yesterday I introduced Senate bill 2719, to strengthen the antitrust laws by providing additional civil remedies for their enforcement. In introducing the bill I issued a public statement explaining its purpose. I ask unanimous consent that the bill may be printed in the RECORD in full at this point, together with the statement explaining its provisions.

The VICE PRESIDENT. Is there objection. The Chair hears none, and it is so ordered.

The bill and statement were ordered to be printed in the RECORD.

The bill (S. 2719) to provide additional civil remedies against violations of the antitrust laws, and for other purposes, is as follows:

*Be it enacted, etc.,* That section 8 of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, is amended to read as follows:

"Sec. 8. The word 'person,' as used herein, means an individual, a corporation, a partnership, an association, a joint-stock company, a business trust, or any organized group of persons, whether incorporated or not; or any receiver, trustee, or liquidating agent of any of the foregoing in his capacity as such."

Sec. 2. Such act is amended by adding the following new section:

"Sec. 9. This act may be cited as the 'Sherman Antitrust Act.'"

Sec. 3. Section 1 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, is amended by striking out the third paragraph thereof and inserting in lieu of such third paragraph the following:

"The word 'person,' as used herein, means an individual or a company."

"The word 'company,' as used herein, means a corporation a partnership, an association, a joint-stock company, a business trust, or any organized group of persons, whether incorporated or not; or any receiver, trustee, or liquidating agent of any of the foregoing in his capacity as such."

"The word 'director' means a director of a corporation or any individual who occupies a similar status or performs similar functions in respect of any company."

"The word 'officer' means an officer of a corporation or any individual who occupies a similar status or performs similar functions in respect of any company."

"The term 'antitrust provisions of the Tariff Act of 1913' means section 73 to 77, inclusive, of an act entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved August 27, 1894, as amended by the act entitled 'An act to amend sections 73 and 76 of the act of August 27, 1894, entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved February 12, 1913.'"

Sec. 4. Section 14 of such act is amended to read as follows:

"Sec. 14. (a) Any violation of any provision of the antitrust laws by any company shall be a violation of such provision by each officer or director of such company who shall have done, or authorized, ordered, or caused to be done, any act constituting in whole or in part such violation. In any proceeding against any officer or director of any company in respect of any such violation by such company, such officer or director, if he shall have had knowledge of any act constituting in whole or in part such violation, shall be presumed to have authorized, ordered, or caused such act; and if evidence shall be introduced in behalf of such officer or director adequate to rebut such presumption, the fact of such knowledge shall, nevertheless, be submitted to the jury, or, in any action tried by the court without a jury, shall be taken into account by the court, as evidence of such authorization, ordering, or causation.

"(b) Any officer or director chargeable under subsection (a) of this section with a violation of any penal provision of the antitrust laws shall be guilty of a misdemeanor, and upon conviction therefor he shall be punished by a fine of not exceeding \$5,000 or by imprisonment for not exceeding 1 year, or by both, in the discretion of the court.

"(c) Any officer or director chargeable under subsection (a) of this section with a violation of any provision of the Sherman Antitrust Act, the antitrust provisions of the Tariff Act of 1913 or section 3 or section 7 of this act by any company shall forfeit to the United States a sum equal to twice the total compensation, direct and indirect, whether in the form of salary, commission, bonus, share of profits, or otherwise, received by or due to such officer or director from such company or on account of services to or in behalf of such company, in respect of each month during which any such violation or any part thereof shall have occurred: *Provided*, That if the sum computed as aforesaid should amount to less than \$5,000, such forfeiture may nevertheless be fixed by the court in an amount not exceeding \$5,000: *Provided further*, That in respect of any compensation received by or due to such officer or director which is not computed on a monthly basis, the portion of such compensation attributable to each such month shall be one-twelfth of such compensation as computed on an annual basis. Such forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil action by the United States.

"(d) Upon a proper showing in a civil action brought by the United States—

"(1) any officer or director chargeable under subsection (a) of this section with a violation of any provision of the Sherman Antitrust Act, the antitrust provisions of the Tariff Act of 1913, or section 3 or section 7 of this act by any company shall be enjoined (A) from rendering any service directly or indirectly to or in behalf of such company, permanently or for a specified period not less than 90 days in the discretion of the court; (B) from receiving any compensation, direct or indirect, whether in the form of salary, commission, bonus, share of profits, or otherwise, from such company or on account of services to or in behalf of such company, during or in respect of such period; and (C) from engaging in business, whether on his own account or as an officer or director of any other company, or otherwise, in competition with such company during such period; and

"(2) such company shall likewise be enjoined (A) from receiving any service, direct or indirect, whether voluntary and uncompensated or otherwise, from such officer or director, during such period; and (B) from paying any compensation directly or indirectly, whether in the form of salary, commission, bonus, share of profits, or otherwise, to or in behalf of such officer or director during or in respect of such period."

Sec. 5. Such act is amended by inserting the following new sections after section 14 thereof:

"Sec. 14A. Any company which violates any provision of the Sherman Antitrust Act, the antitrust provisions of the Tariff Act of 1913, or section 3 or section 7 of this act shall forfeit to the United States a sum equal to twice the total of net income received by or accruing to such company (A) during each month within which any such violation or any part thereof shall have occurred, (B) in respect of any operations of such company during each such month, and (C) otherwise attributable to each such month: *Provided*, That if the sum computed as aforesaid should amount to less than \$25,000, such forfeiture may nevertheless be fixed by the court in an amount not exceeding \$25,000. Such forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil action by the United States. For the purposes of this section, net income shall be computed in accordance with the method of accounting regularly employed in keeping the books of such company, if such method is in accordance with recognized principles of accounting and clearly reflects the income. If no method of accounting has been employed in keeping the books of such company, or if the method employed does not accord with recognized principles of accounting or does not clearly reflect the income, the computation shall be made by a method which does conform to recognized principles of accounting and which does clearly reflect the income. In any such action tried by jury, the court may require the jury to return a special verdict upon the question of liability. If, in any such case, the jury in such special verdict shall find the plaintiff entitled to a forfeiture, or if, in any such action tried by the court without a jury, upon the conclusion of the taking of evidence upon the question of liability, the court shall be of opinion that the plaintiff is entitled to a forfeiture, the court, for assistance in the computation of such forfeiture, may require such company to retain at its own expense an independent public accountant satisfactory to the court, and may utilize the assistance of the Federal Trade Commission or an officer thereof as a master in accordance with the procedure set forth in section 7 of the Federal Trade Commission Act."

"Sec. 14B. Any two or more of the proceedings hereinafter enumerated, if instituted against the same parties, or if relating in whole or in part to the same act or acts, may be consolidated:

"(A) A proceeding in the name of the United States to prevent and restrain a violation of any provision of the antitrust laws;

"(B) An action under subsection (c) of section 14 of this act;

"(C) An action under subsection (d) of section 14 of this act; and

"(D) An action under section 14A of this act:

"*Provided*, That upon any such consolidation which involves an action under said subsection (c) of section 14 or an action under said section 14A, the right of trial by jury shall be preserved."



Sec. 6. Such act shall be amended by adding the following new section:

"Sec. 27. This act may be cited as the 'Clayton Act.'"

The explanatory statement submitted by Mr. O'MAHONEY is as follows:

STATEMENT OF SENATOR JOSEPH C. O'MAHONEY, OF WYOMING, CHAIRMAN OF THE TEMPORARY NATIONAL ECONOMIC COMMITTEE, EXPLAINING BILL "TO PROVIDE ADDITIONAL CIVIL REMEDIES AGAINST VIOLATIONS OF THE ANTITRUST LAWS," WHICH HE INTRODUCED JUNE 28, 1939

The purpose of the bill which I have introduced today, after conferences with Assistant Attorney General Thurman Arnold, is to make the antitrust laws more effective by providing civil remedies which are calculated to deter corporate executives from undertaking policies and practices which they have good reason to know are in restraint of trade and prohibited by law.

One of the principal reasons why the antitrust laws have got heretofore prevented combinations and mergers hostile to the public interest is that the penalties and remedies for violations as now provided are altogether inadequate. Jail sentences are seldom imposed, because the public does not place an economic offense in the same category with an ordinary criminal offense involving moral turpitude. On the other hand, a \$5,000 fine is of no concern to the large corporation.

There is only one other remedy worth mentioning available under existing law to the Department of Justice—the civil action for an injunction. In addition, there is the action in damages by a private person who has been injured. Neither of these remedies is effective.

The new bill is designed to bring violations of the law home to officers and directors of corporations who are personally responsible for the economic offenses of the corporations they represent. The bill permits the United States, in effect, to bring a suit for damages against an offending corporation and against its individual directors and officers. It also permits the United States to bring suit to terminate the corporate employment of any officer or director who is responsible for a violation of the antitrust laws.

The bill contains the following provisions:

(1) A violation of any provision of the antitrust laws by a corporation is made a violation by every officer or director who has participated in causing the action to be done.

(2) Officers or directors so participating in causing a corporation to violate the antitrust laws are themselves made guilty of the misdemeanor defined by the present law.

(3) Such an officer or director is made liable to forfeit to the United States in a civil action brought by the United States a sum equal to twice his compensation from the corporation, in whatever form that compensation may be paid, for every month during which the violation occurred.

(4) Such officer or director may be enjoined from rendering any service, direct or indirect, to such corporation, permanently or for a period not less than 90 days in the discretion of the court, or from receiving any compensation or from engaging in competition with the company he is enjoined from serving.

(5) Any corporation which violates the antitrust laws is made liable to forfeit to the United States in a civil action brought by the United States a sum equal to twice its total net income during every month in which the violation occurred.

(6) Provisions for the consolidation of cases and for preserving the right of trial by jury are contained in the bill.

It is my opinion that bringing antitrust law violations home to the officers who are themselves responsible for these practices will go far to cure many of the restraints of trade which for years have been suppressing business and causing unemployment.

#### STABILIZATION FUND AND WEIGHT OF THE DOLLAR

Mr. THOMAS of Oklahoma. Mr. President, I am receiving a number of letters and telegrams asking my opinion of the situation relating to the bill which passed this body on Monday, the so-called dollar stabilization devaluation bill. In order that the RECORD may contain my answer, I desire to make a brief explanation.

The House bill as it came to the Senate contained two provisions. The first provision was to extend for a period of 2 years the power in the hands of the President still further to devalue the gold dollar. The second provision proposed to extend the life of the stabilization fund for a like period of 2 years.

When the bill reached the Senate amendments were adopted and changes were made. The stabilization section was not changed. There is no issue between the House and the Senate over the proposed extension of the stabilization fund. The Senate took action to terminate the power in the hands of the President to still further devalue the gold dollar, and if such power is not extended the power will terminate and cease tomorrow night at 12 o'clock. That was the first action the Senate took in changing the provisions of the House bill. The second action the Senate took in changing the provisions of the House bill related to the purchase of domestic silver.

The House bill contained no provision relating to silver, but the Senate added an amendment providing a direction to the Treasury Department to start buying silver domestically mined, and to pay for that silver 77 cents-plus per ounce. That is a new amendment to the House bill.

The next change made in the bill by the Senate was a provision terminating the power of the Treasury to purchase foreign silver under the 1934 Silver Purchase Act, and that will become a part of the law if the House agrees to the Senate provision and the bill as amended shall be enacted.

The points in controversy between the House and the Senate are over, first, the devaluation of the gold dollar; second, the price of domestically mined silver; and, third, the repeal of the Silver Purchase Act so far as it applies to foreign silver.

In the event the conferees of the two Houses fail to agree, and in the event no bill shall be reported back, of course no bill will be passed. If the conferees fail to agree and if no bill is passed, then the following things will happen:

First, the power in the hands of the President to further devalue the gold dollar will cease on June 30, tomorrow night, at midnight. That will be the first result.

The second result will be that the stabilization fund, in the sum of \$2,000,000,000, will not be a stabilization fund after 12 o'clock tomorrow night. The money will still be in the Treasury, but the fund as a stabilization fund will not be active, and the Treasury Department will not be able to use any part of that money in carrying out their program of trying to keep not only the American dollar stable in terms of gold but in trying to keep foreign currency as stable as possible in terms of American currency.

The third thing that will happen, in my opinion, will be that the subsidy now being paid to the silver miners will terminate. I cannot believe that the Treasury Department would extend the present subsidy under present conditions. So, if no agreement is reached, the present subsidy being paid to domestic miners of silver of 64 cents plus, will terminate tomorrow night at midnight, and on Saturday morning the miners of the West will not be receiving 64 cents for their silver. The silver they produce after tomorrow, if they produce any, will have to be sold on the world market at whatever price they can secure. The world market price now is a little in excess of 35 cents an ounce, so if the bill is not enacted in some form and the subsidy is not continued, on Saturday morning the silver miners of the West will have to sell their silver, whatever they may have or whatever they may produce in the future, at the world price, and at the present time there is only about one purchaser, namely, the United States Government.

Under the terms of the Silver Purchase Act the Government has the power to buy foreign silver. The Treasury is not directed to buy foreign silver. So the Treasury Department is not obligated to extend the subsidy beyond tomorrow, and if it is not extended even the Department is not commanded to buy domestically mined silver at any price. They can pay the world price for it, and they fix the world price, but there is no direction that they shall buy the domestically mined silver at any price. So on Saturday the miners of the West may find themselves without any market whatever, either under the subsidy program or under the program of the Treasury under the 1934 purchase act.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. VANDENBERG. There is one further very interesting question of interpretation on which I should like to have the Senator's judgment. I understand it is held by some that if the conference report came in after midnight tomorrow—let us say that it came in on the 5th of July—because of the nature of the language of the proposed legislation it would thereupon renew all of the prior powers, which would be simply lapsed for 5 days. What is the Senator's judgment about that interpretation?

Mr. THOMAS of Oklahoma. That is susceptible to different opinions, but not in my mind. If we were a doctor, so to speak, and if we were called upon to administer to a fellow man, or to an animal, we might save the life or prolong the life of the animal or the man so long as there was life, but

once the man died or the animal died, even the best doctor in the world would be powerless to revive and reestablish life in something that was dead. So tomorrow night at midnight the power to devalue the dollar will expire; tomorrow night at midnight the stabilization fund will cease to be a stabilization fund. Therefore it is my opinion that if the bill shall not be passed and signed by tomorrow night at 12 o'clock the devaluation power will be dead and the stabilization fund will be dead, and it will take new legislation recreating the power to devalue the dollar in the hands of the President, and new legislation reestablishing the stabilization fund.

Mr. VANDENBERG. If the Senator will permit me I wish to say simply that I agree with his interpretation.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. I am not sure that I understood all of the statement of the Senator from Oklahoma. It is my recollection that the Silver Purchase Act directs and compels the Secretary of the Treasury to purchase silver until it reaches \$1.29 an ounce, unless we shall have acquired one-fourth of our monetary stocks in silver in the meantime. So that law is upon the statute books regardless of any fate that may befall the measure we passed a few days ago.

Mr. THOMAS of Oklahoma. Mr. President, the amendment submitted by the Senator from Delaware [Mr. TOWNSEND], which was adopted by the Senate, proposes to stop the power of the Treasury Department to buy any more foreign silver.

It is true, as the Senator from Utah has just stated, that the Treasury Department is under a mandate to buy silver at home or abroad until we get one-third as much silver as we have gold, or until the total metallic stocks equal three parts of gold and one part of silver. But the Treasury Department is not commanded to do that this year, or the next year, or the next year. The Treasury may take the next hundred years to accomplish that end. So in the meantime there is no mandate for the Treasury Department to buy any silver tomorrow, or Saturday or next week or next month. They need not buy a single ounce, although the command exists eventually to do so, but no time limit is fixed. So it is my contention that under the Silver Purchase Act the Treasury Department can stop buying silver at any price at any time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BARKLEY. I appreciate the remarks made by the Senator from Oklahoma. I will say frankly that consideration, naturally, has been given to the question of the effect of the automatic expiration of these various powers tomorrow night. The legislation we have been considering, of course, is based upon the continuation of an existing power, and so long as that power exists it may be continued. But when it has expired by operation of law, it is just as dead as if it had never been the law; and it is my view, in concurrence with the Senator, that it would take legislation ab initio to revise these expiring powers. We can revive them by new legislation just as we could create them in the beginning; but when they have once expired, we cannot, in my judgment, revive them simply by continuing what does not exist.

Mr. THOMAS of Oklahoma. I agree entirely with the statement made by the Senator from Kentucky.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CONNALLY. Would it not be possible simply to reenact the legislation by the adoption of a joint resolution making reference to the original act?

Mr. THOMAS of Oklahoma. Mr. President, it is my opinion that that could not be done.

Mr. CONNALLY. I have not examined the authorities, but it is the judgment of the Senator from Texas that that could be done by adoption of a joint resolution, simply by saying that the act, so and so, as amended, shall be and is hereby reenacted. I see nothing at all in the way of making a new law by that sort of process, if it is desired to be done. When the act expires, of course, it is dead; but it can be revived as of the date of the adoption of the joint resolution.

Mr. THOMAS of Oklahoma. It would be just as easy to pass a bill stating what the Congress desires as it would be to adopt a continuing joint resolution.

Mr. CONNALLY. The only difference between that and passing a bill is that the bill would be subject to amendment, whereas we would have to take the joint resolution or leave it.

Mr. THOMAS of Oklahoma. I am free to say that if a joint resolution were presented it would have to pass through all the necessary parliamentary stages, which means separate readings, that it would have to be passed by both bodies and signed by the President, and that it would be subject to amendment.

Mr. CONNALLY. I see some very distinguished Senators of outstanding legal ability shaking their heads. I wish to ask them how we continue appropriations when they lapse?

Mr. THOMAS of Oklahoma. I was going to refer to that, Mr. President.

Mr. CONNALLY. How do we do that, save by the adoption of a joint resolution saying that the appropriations heretofore made for the last fiscal year shall be continued in effect. How is that done except by adoption of a joint resolution which makes reference to the former act?

Mr. THOMAS of Oklahoma. A precedent has been established with respect to appropriations, but I have not gone into that feature of legislation. Such procedure as the Senator referred to may never have been questioned. The District of Columbia appropriation bill is now pending before the Congress, and, for instance, if it shall fail of final passage during the remainder of this month, then on Saturday morning, the first day of July, there will be no appropriations for the District of Columbia. So it may be necessary to adopt a continuing resolution in order to afford money for the District government.

Mr. President, for 10 years I have been doing the best I could to call the attention of the Senate to the importance of the money question, but few have accorded the money question any particular significance. The Senate has regarded the money question about as it regards the sun. The sun comes up in the morning and goes down at night. The Senate apparently takes the position that we have no more control over the value of the dollar than we have over the seemingly actions of the sun.

Mr. President, I think recent developments have convinced many that the money question is the most important question not only to our domestic economy but to the economy of the world. That is my position today. The money question is by far the most important question that ever confronted the Congress or that ever will confront the Congress.

America has progressed to that point where we now dominate and control the currencies of the world. Not only does America control its own currency but the currencies of the world. We have fixed the price of gold at \$35 an ounce, and that is the price of gold throughout the world. We have fixed the price of silver from time to time at so much per ounce, and when we fix a price that is the price of silver throughout the world. So our country and your country today controls the two money metals, gold and silver. We fix the price of each metal and such price is the price throughout the world. When we change these prices, we change in effect the currencies of the world and the domestic economies of the world.

As a result of the action of the Senate 3 days ago silver has fallen in price from some 43 cents an ounce to a little above 35 cents an ounce. Throughout the world, especially in silver producing and silver using countries, the effect of the Senate vote is being felt. Take our near neighbor Mexico for example. A few days ago you could take a dollar to Mexico and exchange same for 5 pesos. Today you can get more than 5 pesos for your dollar. The Mexican peso is going down in terms of the American dollar, or the American dollar is going up in terms of the Mexican peso. This is true of many other currencies throughout the world.

Mr. President, I again wish to make the statement that the money question is by far the most important question confronting the Senate, the most important question confronting the Congress, or confronting America. I predict



that a new national issue is being rapidly developed, and such issue is over the control and value of the dollar.

I saw a news item in yesterday's Washington News, I believe it was, carrying three pictures in connection with such article. In the news item the question was asked: "Who should control our financial system?" The first picture was that of a busy section of Wall Street. The second picture was that of the Roosevelt residence at Hyde Park. The third picture was that of the United States Capitol Building. The inference was that either Wall Street or the President or the United States Congress, sitting in the Capitol, will control the financial policy of the United States.

Mr. President, everyone knows that the Constitution places the responsibility of coining and regulating the value of the dollar upon the Congress. The Constitution says that the Congress shall have the power to coin money and to regulate the value thereof. The Congress has heretofore exercised the power to coin money. There is no issue in that respect. But the Congress has not exercised the power to regulate the value of the money. That is the big issue, Mr. President, which confronts the American people today—the power to adjust and regulate the value of the dollar. The Congress has the power to adjust, to regulate, and to stabilize the value of the dollar, but refuses to exercise such power. The congressional will to exercise its congressional power is the developing issue before the people. It is my prediction that this particular issue will develop into a paramount issue in the coming campaign of 1940.

Mr. President, it is my contention that we cannot continue to live under the present-valued dollar. The present dollar is too high in purchasing power. Prices are too low and the value of the dollar controls prices. It is my contention that the dollar must be cheapened in terms of property and the price level must be raised. Next year the following question will be paramount: What value should the dollar have and at what point should the price level be placed?

It is my judgment that the people demand a substantially higher price level. We cannot live on 6-cent cotton. That is the price producers would receive in the South were it not for Government loans. We cannot live on 50-cent wheat. That is the price for which wheat would be selling today were it not for the Government loans with respect to wheat.

Mr. President, the managers of our money have it in their power to fix this price level exactly where they see proper.

I am not asking for a cheap dollar. I am not asking for high prices. I want the dollar so cheapened and prices so raised that our people can live and pay their taxes and pay their debts so that the Budget may be balanced; and so that those in business may make some money. People cannot make money, cannot pay their taxes and debts on the present low-price level.

So, Mr. President, all I am asking for is a properly valued dollar. No one can in conscience object to the dollar being properly valued.

Someone may ask, "What is the proper value for the dollar?" I can answer that question. A dollar properly valued is a dollar which will serve the best interests of all our people. What does that mean? It does not mean a dollar so valued as to give an advantage to the holders of fixed investments and thereby injure the producing and debtor classes. I want a dollar so valued that creditors and investors may collect their notes, coupons, and bonds; and I want a dollar so valued that debtors and producers may obtain dollars with which to pay their creditors. How can any person object to such a valued dollar? We do not have such a valued dollar today. Debtors cannot now obtain the money with which to pay their debts. Taxpayers cannot obtain the money with which to pay their taxes; and because tax gatherers cannot collect the taxes levied, budgets cannot be balanced; and until the price level is raised, taxes will not be paid and budgets will not be balanced. Again I say that the money question will be one of the main issues in the coming campaign.

Mr. President, I wish to read for the RECORD one paragraph of a very important speech. The money question was paramount in the Democratic National Convention of 1896. Wil-

liam Jennings Bryan, of Nebraska, was a delegate to that convention. Mr. Bryan was selected to present the demand for higher prices to the Chicago convention. In his speech Mr. Bryan used the following language—and it is just as pertinent today as it was in 1896:

Mr. Carlisle said in 1878 that this was a struggle between "the idle holders of idle capital" and "the struggling masses, who produce the wealth and pay the taxes of the country"; and, my friends, the question we are to decide is, Upon which side will the Democratic Party fight; upon the side of "the idle holders of idle capital" or upon the side of "the struggling masses"? That is the question which the party must answer first, and then it must be answered by each individual hereafter. The sympathies of the Democratic Party, as shown by the platform, are on the side of the struggling masses, who have ever been the foundation of the Democratic Party. There are two ideas of government. There are those who believe that if you will only legislate to make the well-to-do prosperous their prosperity will leak through on those below. The Democratic idea, however, has been that if you legislate to make the masses prosperous their prosperity will find its way up through every class which rests upon them.

Mr. President, William Jennings Bryan stated and defined the issue in 1896, and the same issue is rising, and rapidly, in our country today. Any time the Democratic Party takes the side of liberalism, nominates a liberal candidate for President, and adopts a liberal and progressive program, the Democratic Party makes a good showing before the country. But any time the Democratic Party adopts a conservative program and nominates a conservative candidate, the Democratic Party fails. Such is recorded history. Knowing the sentiment of vast groups of our people, I am convinced that the trend of history will neither be changed nor altered in the coming campaign of 1940.

Mr. NEELY. Mr. President, the eloquent Senator from Oklahoma indicated that he is not certain that the sun is a moving body. If the great monetary reformation for which the Senator has so long and so valiantly labored could be advanced with the speed of the sun, the consummation which he desires would be realized in less than the twinkling of an eye. Because the sun and all its planetary family are, according to the astronomers, rushing through space toward the constellation Hercules, at the incomprehensible speed of 12 miles a second—more than 43,000 miles an hour. But since we are assured that we shall not reach our destination for 500,000 years, there is little cause for immediate alarm. Let us hope that monetary reform may be accomplished before the final crash occurs.

#### ORDER DISPENSING WITH CALL OF CALENDAR

The PRESIDING OFFICER. The calendar, under rule VIII, is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the call of the calendar be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, a number of Senators have asked me about the program as far as we can see it for the rest of this week and over the Fourth of July. As everyone knows, there is certain legislation which must be enacted by tomorrow night if possible. We have on the calendar two appropriation bills, the third deficiency bill, and the military appropriation bill for aviation, which must be enacted. The monetary bill is in conference. The Senator from Colorado [Mr. ADAMS] and I are members of the conference committee on that bill. The Senator from Colorado is also a member of the conference committee on the relief joint resolution.

On the Executive Calendar are two nominations which have been passed over from day to day. The first is the nomination of William S. Boyle, to be United States attorney for the District of Nevada, and the second is the nomination of Archibald MacLeish to be Librarian of Congress. The nomination of Mr. Boyle has been adversely reported. The nomination of Mr. MacLeish has been passed over from day to day because the Senator from Vermont [Mr. AUSTIN] has advised me that two or three Members of the Senate desire to discuss the nomination and that an hour or two may be required to dispose of it.

Tomorrow I think we shall have to keep in prospect the necessity of devoting ourselves almost exclusively to the laws which expire tomorrow night, so that we may attempt to pass the pending legislation. If we shall dispose of this legislation, I have in mind on Saturday to move an adjournment until Wednesday. We shall be unable to adjourn from Friday until Wednesday even if we shall have finished everything. The Fourth of July will be Tuesday, and Monday being sandwiched in between Sunday and the Fourth, I doubt whether we could accomplish much on that day, as probably many Senators will be away.

If we shall dispose of the matters to which I have referred, when we shall return after the Fourth of July there will be practically nothing to engage the attention of the Senate except bills on the calendar in which individual Senators may be interested.

While we are waiting for the Committee on Foreign Relations to take action on the neutrality bill, and while the legislation which has been proposed by the President on a work program, which we have discussed, is also in consideration in committee, in my judgment the Senate will be free to consider whatever bills it may desire to take up.

In view of that situation, I felt it proper to advise the Senate that I think it is important that we dispose of these hang-over matters, and that we keep ourselves free tomorrow to be governed by any exigencies which may arise with respect to the expiring laws. In my judgment, after the holiday all Senators who are interested in legislation will have a week or two within which to obtain consideration for such legislation.

I make this statement because many Senators are interested in the program.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LEE. I hope the Senator will place on the list of those matters which should be considered the nomination of Mr. Paul Walker to be a member of the Federal Communications Commission.

Mr. BARKLEY. That is an executive matter. I do not know that there is any opposition to that nomination.

Mr. LEE. The Senator mentioned two other nominations. For that reason I did not want the nomination of Mr. Walker omitted.

Mr. BARKLEY. I have been asked about the program for today as far as I can see it. The Senator from Colorado [Mr. ADAMS] is now waiting to move the consideration of the urgent deficiency appropriation bill; the Senator from Oklahoma [Mr. THOMAS] desires to take up another appropriation bill providing for certain military expenses, including airplanes, and so forth, and the Senator from Maryland [Mr. TYDINGS] has a bill from the Appropriations Committee which he desires to have considered.

I have conferred with the Senator from Vermont [Mr. AUSTIN] concerning the possibility of having an executive session early today so that the Senate may act on the MacLeish nomination, which should be disposed of, because Mr. MacLeish ought not to be subjected to the embarrassment of having his nomination held up indefinitely, and I do not want to deny anyone the right to discuss it.

I felt that I should give this information to the Senate for its own guidance.

Mr. NEELY. Mr. President, will the Senator from Colorado yield to me in order that I may propound an inquiry to the Senator from Kentucky?

Mr. ADAMS. Certainly.

Mr. NEELY. Mr. President, I inquire of the able majority leader if he will agree that, in the absence of emergency measures or demands, I shall be afforded an opportunity on Wednesday of next week to move the Senate to proceed to the consideration of what is commonly known as the moving picture antiblock booking bill? I had intended to make this motion this afternoon but, in view of the statement the Senator from Kentucky has made regarding the importance of passing certain appropriation bills, I shall not

attempt to interfere with the program which he has outlined for today.

Mr. BARKLEY. Mr. President, in that connection, I am glad to say that if the matters to which I have called attention shall be disposed of so that there will be no possibility of a hang-over as to any of the measures which will expire on tomorrow night, I certainly shall have no objection to the Senator moving to take up the bill to which he has referred on Wednesday or at any other convenient day next week; I have no desire to postpone its consideration, but I do not think that a bill that is not emergent, as that one is not, ought to interfere with measures that almost of necessity must be enacted between now and tomorrow night.

Mr. NEELY. Mr. President, of course, I concur in that opinion.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Colorado has the floor. Does he yield to the Senator from Maine?

Mr. ADAMS. I yield.

Mr. WHITE. The Senator from West Virginia appreciates that he and I do not see eye to eye with respect to the bill in which he is interested.

Mr. NEELY. That is very true.

Mr. WHITE. But I have no disposition to delay its consideration. I would appreciate it, however, if, instead of asking that the bill be considered on Wednesday, the Senator would compromise with me and call it Thursday.

Mr. NEELY. I gladly and favorably respond to the suggestion of the Senator from Maine. He has vigorously but fairly opposed the bill. He diligently helped to conduct the subcommittee hearings and is familiar with the record. He is entitled to an opportunity to participate in the consideration of this important measure when it is brought before the Senate. Therefore I accept his suggestion, and now very respectfully give notice that at the earliest possible moment on Thursday of next week I shall move that the Senate proceed to the consideration of Senate bill 280.

Mr. BARKLEY. Mr. President, I did not hear the suggestions of the Senator from Maine; I was interrupted at the time. What was his suggestion?

Mr. WHITE. I called attention to the fact that the Senator from West Virginia and I were not in accord with respect to the bill in which he is interested, but that I have no desire to delay its consideration. I asked him, however, if it would be agreeable to him to move to take up the bill on Thursday rather than on Wednesday, and I may say that that request was made largely for my accommodation.

Mr. BARKLEY. That is entirely satisfactory, but, of course, that is contingent on the condition that none of the expiring laws which we hope to get through by tomorrow night shall be under consideration at the time on Wednesday or Thursday.

Mr. NEELY. Mr. President, let me assure the Senator from Kentucky that I shall not attempt to interfere with emergency legislation.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the House further insisted upon its disagreement to the amendments of the Senate Nos. 1, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, and 101 to the bill (H. R. 5610) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1940, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COLLINS, Mr. CASEY of Massachusetts, Mr. MAHON, Mr. STEFAN, and Mr. CASE of South Dakota were appointed managers on the part of the House at the further conference.

The message also announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 326) making appropriations for work relief, relief, and to increase employment by providing loans and



grants for public-works projects, for the fiscal year ending June 30, 1940; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR of Colorado, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. THOMAS S. McMILLAN, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER were appointed managers on the part of the House at the conference.

### THIRD DEFICIENCY APPROPRIATIONS

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of House bill 6970, the so-called urgent deficiency appropriation bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6970) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes, which had been reported from the Committee on Appropriations, with an amendment.

Mr. ADAMS. I ask unanimous consent that the formal reading of the bill be dispensed with; that it be read for amendment; and that the amendments of the committee be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will proceed to state the amendments reported by the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Independent establishments—Executive Office", on page 4, after line 11, to insert:

Bureau of the Budget, salaries and expenses: The unobligated balance on June 30, 1939, of the appropriation, "Salaries and expenses, Bureau of the Budget, 1939" shall be added to and become a part of the appropriation, "Salaries and expenses, Bureau of the Budget, 1940": *Provided*, That the limitation of \$5,000 on the amount that may be expended from the appropriation "Salaries and expenses, Bureau of the Budget, 1940," for the temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the civil-service laws, or the Classification Act of 1923, as amended, is hereby increased to \$50,000.

The amendment was agreed to.

The next amendment was, under the subhead "Federal Loan Agency", on page 5, line 3, after the word "exceed", to strike out "\$500,000" and insert "\$400,000", so as to read:

Electric Home and Farm Authority, salaries and administrative expenses: Not to exceed \$400,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order No. 7139 of August 12, 1935, and continued as such agency until June 30, 1941, by the act of March 4, 1939 (Public Act No. 2, 76th Cong.), shall be available during the fiscal year 1940 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority shall be considered as nonadministrative expenses for the purposes hereof.

The amendment was agreed to.

The next amendment was, under the subhead "Federal Communications Commission," on page 10, line 2, after the name "Commission", to insert "fiscal year 1940", so as to read:

Printing and binding: For all printing and binding for the Federal Communications Commissions, fiscal year 1940, \$25,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 5, to strike out:

### RECONSTRUCTION FINANCE CORPORATION

Salaries and administrative expenses: The limitation of \$9,250,000 for administrative expenses of the Reconstruction Finance Corporation and the Reconstruction Finance Corporation Mortgage Co. for the fiscal year 1939, contained in the Independent Offices Appropriation Act, 1939, is hereby increased to \$9,500,000.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary National Economic Committee", on page 1, line 14, after the word "expenses" and the semicolon, to strike out "\$300,000" and insert "\$480,000"; and in line 18, after the word "and", to strike out "\$204,000" and insert "\$384,000", so as to read:

For an additional amount for each and every purpose requisite and incident to carrying out the provisions of the public resolution entitled "Joint resolution to create a temporary national economic committee," approved June 16, 1938, as amended by the public resolution approved April 26, 1939, including rent and personal services in the District of Columbia and elsewhere by contract or otherwise; contract stenographic reporting services; books of reference; traveling expenses; employment of messenger service by contract or otherwise, and all other necessary expenses; \$480,000, to be available until the expiration of the Seventy-sixth Congress, of which amount not to exceed \$96,000 shall be available for expenditure by the Temporary National Economic Committee and \$384,000 for allocation by the President to the departments and agencies represented on the Committee to enable them to carry out their functions under such public resolution approved June 16, 1938: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered hereunder when the aggregate amount involved does not exceed \$100.

The amendment was agreed to.

The next amendment was, under the heading "Department of the Interior," on page 14, after line 12, to insert:

### OFFICE OF THE SECRETARY

Salaries: The sum of \$216,560 of the funds appropriated by section 201 (a) of the Public Works Administration Appropriation Act of 1938 is hereby transferred, effective July 1, 1939, to the appropriation "Salaries, Office of the Secretary of the Interior, 1940," such amount to be taken from the sum made available for the fiscal year 1940 for administrative expenses of the Federal Emergency Administration of Public Works by the Independent Offices Appropriation Act, 1940.

The amendment was agreed to.

The next amendment was, on page 15, after line 8, to insert:

### GOVERNMENT IN THE TERRITORIES

Division of Territories and Island Possessions: For an additional amount for expenses of the Division of Territories and Island Possessions in the investigation and survey of natural resources of the land and sea areas of the Antarctic regions, including personal services in the District of Columbia and elsewhere without regard to the civil-service laws or the Classification Act of 1923, as amended, or by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes, rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, fiscal year 1939, to remain available until June 30, 1940, \$340,000: *Provided*, That fuel, repairs, and emergency supplies may be contracted for in foreign ports.

The amendment was agreed to.

The next amendment was, under the heading "Department of Justice—judicial—marshals, and other expenses of United States Courts", at the top of page 17, to insert:

Conciliation Commissioners, United States courts: The unexpended balances of the appropriations "Fees and expenses of conciliation commissioners, United States courts, 1937-39," and "Fees of conciliation commissioners, United States courts, 1938," are hereby continued available for the same purposes until June 30, 1940.

The amendment was agreed to.

The next amendment was, under the heading "Post Office Department (out of postal revenues)", on page 17, line 12, after the word "of", to strike out "\$1,600,000" and insert "\$1,500,000", so as to read:

### POST OFFICE DEPARTMENT (OUT OF POSTAL REVENUES)

Unexpended balances of appropriations for the Post Office Department are hereby transferred and made available for the pur-

poses of the appropriations to which transferred, as follows: The sum of \$1,500,000 from Railway Mail Service, salaries, 1939"; the sum of \$1,000,000 from "Railroad transportation and mail messenger service, 1939" to "City delivery carriers, 1939"; the sum of \$350,000,000 from "Rural Delivery Service, 1939" to "Special delivery fees, 1939"; the sum of \$15,000 from "Electric- and cable-car service, 1939" to "Powerboat service, 1939"; and the sum of \$35,000 from "Manufacture and distribution of stamps and stamped paper, 1939" to "Unpaid money orders more than 1 year old, 1939."

The amendment was agreed to.

The next amendment was, under the heading "Department of State", on page 20, after line 15, to insert:

International Committee on Political Refugees: For the expenses of participation by the United States in the International Committee on Political Refugees, including personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1940, \$20,000, together with the unexpended balance of the appropriation for this purpose for the fiscal years 1938 and 1939 contained in the Second Deficiency Appropriation Act, fiscal year 1938: *Provided*, That no salary shall be paid hereunder at a rate in excess of \$7,500 per annum.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. O'MAHONEY. Mr. President, when the Treasury and Post Office appropriation bill was under consideration at the present session it contained a provision recommended by the Committee on Appropriations and adopted by the Senate placing a certain limitation upon the distribution of frankable mail by the various executive departments and agencies. The amendment was agreed to in conference, but a typographical error was made in the preparation of the conference report so that when the bill was signed certain language at the conclusion of the amendment was omitted. Thereupon, in order to correct that typographical error at the suggestion of the conferees, I introduced Senate Joint Resolution 134, which was referred to the Committee on Appropriations. That joint resolution was amended and reported favorably to the Senate and is now on the calendar. It was amended in accordance with the suggestions of the Federal Power Commission, the Securities Exchange Commission, and the Bureau of the Census in order to enable those three agencies without any question to send out material required by law to be sent out.

I feel that the joint resolution as drafted would cover their needs, but, in order to make certain, it was deemed advisable to clarify the amendment. The Committee on Appropriations yesterday authorized me to add the joint resolution to the pending bill as an amendment. It is necessary, however, to move to suspend the rule. I filed the formal notice to suspend the rule yesterday. I therefore ask unanimous consent that paragraph 4 of rule XVI be suspended in order that I may now move the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is in order.

Mr. O'MAHONEY. I now offer the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. That section 6 of the Treasury and Post Office Departments Appropriation Act, fiscal year 1940 (Public, No. 65, 76th Cong.), approved May 6, 1939, is hereby amended to read as follows: "Sec. 6. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all

forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within 30 days after the close of the quarter, a statement of the weight of the mail matter, by classes of mail, that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, or of announcements of publications of maps, atlases, statistical and other reports offered for sale by the Federal Power Commission as authorized by section 312 of the Federal Power Act: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

The amendment was agreed to.

Mr. SHIPSTEAD. Mr. President, I have at the desk an amendment which has the approval of the Budget Bureau, and I understand that the Senator from Colorado will accept it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 15, after line 25, it is proposed to insert the following:

#### WORK PROJECTS ADMINISTRATION

To enable the Commissioner of Work Projects to afford direct relief to citizens of the counties of Anoka and Hennepin, in the State of Minnesota, made destitute by the recent tornado which occurred in that State, either by grants to the Governor of the State of Minnesota or local authorities, or otherwise, as he may determine, fiscal year 1940, \$35,000: *Provided*, That, in the discretion of the Commissioner of Work Projects, no part of this sum shall be used for grants unless a sum or sums at least equal to such grants shall have been made available by the State of Minnesota or a political subdivision thereof for the accomplishment of the same purpose.

Mr. BYRNES. Mr. President, I should like to ask the Senator from Colorado [Mr. ADAMS] a question. Heretofore, as I understand, the Disaster Loan Corporation has been making loans when there has been a tornado, or suffering as the result of a disaster of this kind. Does this amendment set a precedent for granting relief in these matters?

Mr. ADAMS. Mr. President, I think perhaps the precedent was established earlier this year, in connection with the tornado in New England. There was an appropriation in connection with that disaster. Now the precedent is being followed.

Mr. BYRNES. In that case there were not loans by the Disaster Loan Corporation?

Mr. ADAMS. Like this, the appropriation was subject to an equal contribution by the State.

Mr. BYRNES. There was an outright grant?

Mr. ADAMS. Yes.

Mr. BYRNES. That was done in the case of New England?

Mr. ADAMS. It was.

Mr. BYRNES. I have no objection to it. In the city of Charleston, in my own State, last September a tornado caused great damage and suffering. I understood that the only relief that could be granted would be loans by the Disaster Loan Corporation, and I thought it proper that it should be done. The Red Cross also aided. I did not know that the Government was making gifts in cases of this kind.

Mr. ADAMS. I will say to the Senator from South Carolina that I perhaps have been inaccurate. In the New England situation, what was done by Congress could not be called



a grant. It was a direct appropriation for work by the Federal Government in clearing up after the disaster.

Mr. SHIPSTEAD. Mr. President, this money is to be spent through the W. P. A. They will handle the whole thing as a matter of immediate relief.

Mr. BYRNES. The W. P. A. have money to spend. This appropriation is in addition to that?

Mr. SHIPSTEAD. It is in addition to the allocation already made. They claim that they have not any more money available for this purpose.

Mr. BYRNES. This is a Federal project, then, of W. P. A. Is that correct?

Mr. SHIPSTEAD. Yes. It is to be spent under the W. P. A., through an understanding with the Bureau of the Budget.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. SHIPSTEAD].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 6970) was read the third time and passed.

#### PUERTO RICAN CONDITIONS

Mr. KING. Mr. President, I ask the indulgence of the Senate for a few minutes in order that I may again call attention to the serious economic conditions in Puerto Rico.

I have sometimes thought that Congress and many of our citizens are not sufficiently interested in this important Territorial possession. Puerto Rico is under the flag, and its inhabitants are American citizens. The obligation rests upon Congress and the executive departments of the Government to deal in a just and fair way with Puerto Rico. Its situation is unique; it has problems many of which differ from those with which continental United States is confronted. We must not forget that Puerto Rico came to the United States as a result of a conflict with Spain, and that when Puerto Rico and her inhabitants were brought under the American flag as a result of the war they were entitled not only to just but generous treatment and to the privileges and rights belonging to American citizens.

It is true that Puerto Rico is a small island, probably not more than 3,500 square miles, not more than 1,500,000 acres of which are susceptible of cultivation, and with a population of approximately 1,800,000. Though the resources of the island are rather limited, I believe that by proper collaboration between the Puerto Rican government and the National Government there will be developed and maintained a reasonably satisfactory economy in Puerto Rico which will provide for the welfare and happiness of the people.

Puerto Rico has been an important purchaser of the products and commodities of the mainland. I am told that it has been the sixth greatest customer from continental United States. The depression through which the United States is passing has had repercussions in Puerto Rico, and it is apparent that the economic conditions in Puerto Rico are not satisfactory. The obligation rests upon the Government to adopt reasonable measures to aid the people of Puerto Rico in meeting their economic and industrial problems.

If I understand, the people of Puerto Rico are asking nothing unreasonable; they only desire to be treated as American citizens and to receive that consideration to which all American citizens are entitled. Certainly in any legislation by Congress, the conditions in Puerto Rico should not be ignored. The same standards which might be maintained in many parts of the United States might not meet conditions in Puerto Rico. There are too many persons who seek standardization in everything and who would impose upon all sections of our country, including our Territorial possessions, the same rigid and inflexible standards which they

demand should be applied in every part of continental United States. We might learn something from Great Britain in her treatment of her island possessions and of her territories in many lands. Our Government should recognize that Puerto Rico is not a part of continental United States; that its climatic conditions are different; that the habits and pursuits of the people are somewhat different from those in many parts of the United States. Certainly it should be recognized that the economic and industrial conditions are different and that legislation relating to the island should take cognizance of these differences to which I have imperfectly referred. It is believed by many, however, that we have ignored these conditions and have imposed upon Puerto Rico and its inhabitants policies and measures that are not entirely just and are producing most unsatisfactory results.

Several days ago I called the attention of the Senate to the attempt to enforce the wage and hour bill and the serious consequences which ensued. The administration of that act has thrown out of employment many thousands of persons. I have received many communications from the residents of Puerto Rico in which it was stated that a number of industries had suffered under the attempted enforcement of the wage and hour bill; that from sixty to eighty thousand women engaged in needlework had been deprived of employment, thus adding to the unemployment situation and seriously affecting the economic and social condition of the people.

I am in receipt of a letter from a distinguished citizen of Puerto Rico, in which he states that the interpretation and enforcement of the so-called Fair Labor Standards Act will mean the total destruction and disappearance of the needlework industry in Puerto Rico, which will result in "an economic crisis" and thus accentuate the problems with which the island and its people are confronted. The letter, as well as other communications which I have received, indicate that in the administration of the act there has been a most inflexible and autocratic attitude. There has been lacking a sympathetic understanding of the situation in the island and an apparent determination to rigidly and autocratically enforce the act.

Because of the serious consequences of the rigid enforcement of the so-called wage and hour law, and the certainty of further unemployment and assaults upon the economic and industrial conditions of Puerto Rico, I offered at the request of persons familiar with the conditions a bill which was referred to the Committee on Education and Labor. It is believed by those who suggested the measure and who are desirous of preventing a further economic crisis in the island, that if this bill were enacted into law it would certainly ameliorate conditions and interrupt the destructive movements which are undermining industrial and economic conditions.

Mr. President, I ask that the bill be inserted in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2682) to amend the Fair Labor Standards Act of 1938 to provide a special procedure for fixing minimum-wage rates for Puerto Rico and the Virgin Islands is as follows:

*Be it enacted, etc., That (a) section 5 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:*

"(e) No industry committee appointed under subsection (a) of this section shall have any power to recommend the minimum rate or rates of wages to be paid under section 6 to any employees in Puerto Rico or in the Virgin Islands. Notwithstanding any other provision of this act, the Administrator may appoint a special industry committee to recommend the minimum rate or rates of wages to be paid under section 6 to all employees in Puerto Rico or the Virgin Islands, or in Puerto Rico and the Virgin Islands, engaged in commerce or in the production of goods for commerce, or the Administrator may appoint separate industry committees to recommend the minimum rate or rates of wages to be paid under section 6 to employees therein engaged in commerce or in the production of goods for commerce in particular industries. An industry committee appointed under this subsection shall be composed of residents of such island or islands where the employees with respect to whom such committee was appointed are employed and residents of the United States outside of Puerto Rico and the Virgin Islands.

In determining the minimum rate or rates of wages to be paid, and in determining classifications, such industry committees and the Administrator shall be subject to the provisions of section 8, and no such committee shall recommend, nor shall the Administrator approve, a minimum wage rate which will give any industry in Puerto Rico or in the Virgin Islands a competitive advantage over any industry in the United States outside of Puerto Rico and the Virgin Islands."

(b) No wage orders issued by the Administrator prior to the enactment of this act pursuant to section 8 of the Fair Labor Standards Act of 1938 shall after such enactment be applicable with respect to any employees engaged in commerce or in the production of goods for commerce in Puerto Rico or the Virgin Islands.

Sec. 2. Section 6 of the Fair Labor Standards Act of 1938 is amended by adding at the end thereof the following:

"(c) The provisions of paragraphs (1), (2), and (3) of subsection (a) of this section shall be superseded in the case of any employee in Puerto Rico or the Virgin Islands engaged in commerce or in the production of goods for commerce only for so long as and insofar as such employee is covered by a wage order issued by the Administrator pursuant to the recommendations of a special industry committee appointed pursuant to section 5 (e)."

Mr. KING. As stated, I have received many telegrams and letters from Puerto Rico urging that some steps be taken to prevent further injury to and demoralization of the whole economic structure of the island. Some of the letters which I have received indicate that not only is the needlework industry threatened with destruction, but that the tobacco and other industries are jeopardized. It is certain, from the communications which I have received, that approximately 80,000 persons engaged in the needlework industry will be deprived of employment, and that the market which they have built up beyond the borders of Puerto Rico will be destroyed. I am told that already the Far East is usurping or obtaining a large part of the market which Puerto Rico needlework products have developed. The markets for needlework have brought to Puerto Rico approximately \$25,000,000 annually. It is needless to repeat that the loss of this market is not only serious, but a tragic blow to Puerto Rico.

I sincerely hope that before Congress adjourns measures will be enacted that will make for the improvement and rehabilitation of industries in the island.

#### PREVENTION OF PERNICIOUS POLITICAL ACTIVITIES

Mr. HATCH. Mr. President, in view of the fact that on yesterday I made a statement concerning Senate bill 1871, I desire now to make a further very brief statement.

Yesterday I said that I had been definitely assured by certain members of the House Committee on the Judiciary that Senate bill 1871 would be reported by that committee today. That assurance had been given. Today I am informed that the House committee was unable to complete its labors and did not make its report. I rise merely to say that after conference with Mr. Celler and Mr. Walter, of the House committee, who informed me of the conditions in that committee, I do not at all consider that their failure to complete the bill today is in any sense a breach of their understanding or agreement with me. I think the gentlemen have endeavored in every way to carry out their agreement. In fact, Chairman Celler has called a meeting of his committee for tomorrow morning to complete the bill. In that respect the members of the House Judiciary Committee have kept faith with me and have kept the understanding, and I wanted to make that fact clear.

I am not satisfied with the action of the House committee with regard to section 9, and of that I shall have more to say later.

#### ADDITIONAL APPROPRIATIONS FOR MILITARY ESTABLISHMENT

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate proceed to the consideration of House bill 6791, making additional appropriations for the Military Establishment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oklahoma.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6791) making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes, which had been

reported from the Committee on Appropriations, with amendments.

Mr. THOMAS of Oklahoma. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments reported by the committee will be stated.

The first amendment of the Committee on Appropriations was, under the head of "Military posts," on page 7, line 10, after "1940", to strike out "\$63,662,500" and insert "\$64,862,500", so as to read:

For construction and installation of buildings, flying fields, and appurtenances thereto, authorized by the act entitled "An act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress", approved April 3, 1939, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); employment of personnel without regard to civil-service requirements and restrictions of law relating thereto; general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the Office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary, fiscal year 1940, \$64,862,500, to remain available until expended, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the same purposes, to an amount not in excess of \$21,337,500, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

The amendment was agreed to.

The next amendment was, at the top of page 16, to insert:

#### SURVEYS AND MAPPING

Of the money appropriated by this act not to exceed \$5,000,000 may be expended for the fiscal year ending June 30, 1940, for topographic surveys and mappings as proposed in Senate Document No. 54 (76th Cong., 1st sess.): *Provided*, That such funds may be expended for the same objects (but not limited to the amounts specified for such objects) enumerated in the Interior Department Appropriation Act for the fiscal year ending June 30, 1940, under the heading "Geological Survey."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. TYDINGS. Mr. President, I send to the desk an amendment which I have been authorized by the Committee on Appropriations to offer.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert, on page 16, after line 10, the following new section:

Sec. 2. In order to provide adequate facilities for the constructing, manufacturing, or furnishing of any military or naval equipment, supplies, or other articles for the purposes of the national defense, the Secretary of War and the Secretary of the Navy are respectively hereby authorized and empowered from time to time to include, or cause to be included, in any contract that shall be made by them or under their authority, respectively, for the constructing, manufacturing, or furnishing of any such equipment, supplies, or other articles provisions satisfactory to them or their authorized representative for any or all of the following purposes, to wit: (a) To provide that the contractor shall construct or install additional facilities, or expand, modernize, improve, replace, or otherwise alter existing facilities, in order to expedite the constructing, manufacturing, or furnishing of any of such equipment, supplies, or other articles; (b) to provide that the cost of constructing, acquiring, installing, expanding, modernizing, improving, replacing, or otherwise altering such facilities shall be paid by the United States; (c) to provide that any such additional facilities the cost of which shall so be paid by the United States shall be and remain the property of the United States, subject as hereinafter provided, and that the United States shall have the right to acquire any such existing facilities so to be expanded, modernized, improved, replaced, or otherwise altered upon payment of fair compensation therefor to be determined as shall be provided in the contract; and (d) to provide that, if and when any such facilities that shall so become the property of the United States shall no longer be required by the contractor in the performance of



any contract for the constructing, manufacturing, or furnishing to the United States or to any department, independent establishment, or other agency or instrumentality of the United States of any equipment, materials, supplies, or other articles, such facilities shall be removed from the premises of the contractor or otherwise disposed of in such manner and on such terms and conditions as shall be agreed upon by the Secretary of War or the Secretary of the Navy, as the case may be, and the contractor, including, but without limitation on the foregoing, the sale or lease of such facilities to the contractor. Any costs of constructing, acquiring, installing, expanding, modernizing, improving, replacing, or otherwise altering any such facilities that shall be paid by the United States pursuant to any such contract shall not be deemed to be a part of the cost of performing, or of the total contract price under, any contract within the scope of section 3 of the act of March 27, 1934 (48 Stat. 505), as heretofore or hereafter amended, for the purpose of computing profit or loss on such contract pursuant to said section 3. Any amounts heretofore or hereafter appropriated for the constructing, manufacturing or acquiring of any such equipment, supplies or other articles shall to the extent that shall be deemed necessary by the Secretary of War or the Secretary of the Navy, as the case may be, be available for any of the purposes hereinbefore specified.

Mr. TYDINGS. Mr. President, this is a very long amendment, but it had to be long in order to make provision to give the Secretary of the Navy and the Secretary of War certain discretionary powers to take care of a situation which might evolve from the following facts:

The law fixes a limitation of not more than 10 percent on the profit which may be made on goods manufactured under contracts with the War and Navy Departments. I am not quarreling with that, but it sometimes happens, for example, when the Navy or the Army want particular guns—to illustrate, heavy artillery—that there are no facilities for the manufacture of such guns. Unless some latitude and discretion are allowed the Secretary of War or the Secretary of the Navy to construct the machinery to make such guns, as a part of the cost, there would be no concern in the United States able to make them, because it would cost 10 times as much to make them as the Government could pay for them. Therefore this amendment is so drawn as to give the Secretary of the Navy and the Secretary of War the discretion to meet such a situation if one should arise.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. AUSTIN. I recall that the Committee on Military Affairs has considered proposed legislation relating to the procurement of munitions, and I wish to ask the Senator from Maryland whether his proposal has been coordinated with the existing law, lately enacted, regarding the procurement of munitions. I cannot judge, from a hasty reading of the amendment.

Mr. TYDINGS. I cannot answer the question categorically, but the Subcommittee on Military Affairs of the Appropriations Committee and the full committee both felt that there was a need for an amendment of this kind. If we take it to conference and it develops there is any lack of coordination I am sure we can work out a suitable amendment, if there is any conflict.

Since I offered the amendment I have learned, although I cannot authenticate the statement, that the Navy Department is very much concerned about the hiatus which will result without the amendment, and it is quite likely that in conference both the Navy and the War Departments will be consulted by the conferees, and if there is any conflict of policies they will all be coordinated.

Mr. AUSTIN. Does the amendment contemplate authority to procure any supplies and munitions without limit?

Mr. TYDINGS. No. The sole purpose of the amendment is to provide for a situation where no machinery exists for the manufacture of something which the Army or the Navy may want, and where the manufacturer of the product desired is limited to a profit of 10 percent of the cost of the article itself rather than the machinery necessary to be installed to produce the article. This would give the Secretary of the Navy and the Secretary of War authority to work out something so that the goods could actually be produced. That is the sole purpose.

Mr. AUSTIN. Does the proposal change the existing law with respect to what contracts can be made through open-

market negotiations and what contracts can be made only through the competitive bidding process, on specifications?

Mr. TYDINGS. As I understand it, it does not. Discretionary power will be granted, which may never have to be used, but an emergency might occur, when, if the Secretaries did not have the power, they could not secure the goods.

Mr. KING. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. KING. Would this authorize either the War or the Navy Department to create deficits?

Mr. TYDINGS. No. It calls for no extra appropriation.

Mr. KING. Then they could not embark upon some other construction?

Mr. TYDINGS. No more money could be spent with this amendment in the bill than without it.

Mr. KING. With that assurance, I think the amendment is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

The amendment was agreed to.

Mr. TYDINGS. In view of the adoption of the amendment, I move that there be a further amendment on page 16, line 11, to change the section number from "2" to "3."

The amendment was agreed to.

Mr. TAFT. Mr. President, I notice on page 6, line 24, under the item for the construction of military posts, this language:

Employment of personnel without regard to civil-service requirements and restrictions of law relating thereto.

In the regular military appropriation bill \$8,000,000 was appropriated for military posts, and it was provided that the personnel should be subject to civil-service requirements. I wondered whether the committee had considered the reason for exempting these employees from civil-service requirements.

Mr. THOMAS of Oklahoma. Mr. President, the committee did not go into that phase of the matter; the question was not raised. But the appropriation for this work is a supplemental appropriation; it is extra work and in the nature of an emergency. For that reason, I presume, this language is in the bill in its present form. Other explanation I have not.

Mr. LODGE. Mr. President, I should like to invite the attention of the Senator to the subtitle "Military posts." I presume that the money carried under this item will be spent on regularly authorized projects, in accordance with the regular priorities, as established by the War Department. Would this follow the regular course?

Mr. THOMAS of Oklahoma. There is no change in the law, and this appropriation is to carry out the program which has heretofore been formulated by the board of strategy or the Chief of Staff and his assistants in the War Department.

Mr. LODGE. Would the same statement apply to the acquisition of land?

Mr. THOMAS of Oklahoma. The War Department could not purchase land unless it were authorized to do so; so it would be pursuant to authorizations already enacted by the Congress.

Mr. LODGE. What is the purpose of the increase from \$63,000,000 to \$64,000,000?

Mr. THOMAS of Oklahoma. That increase is made in order to provide \$1,200,000 more for the Lowry Flying Field, located a few miles east of the city of Denver. A few years ago the War Department proceeded to abolish Chanute Field in Illinois, and it transferred the equipment and personnel to the new field, located east of Denver, on the theory that it would afford somewhat of a bombing field, and a place for the training of mechanics, a sort of a work field. Later on the War Department decided that it would not only build up Lowry Field, but would retain the Chanute Field, so this appropriation carries something like \$2,000,000, perhaps a little more, for the Chanute Field, and a small appropriation, relatively, was made for Lowry Field. The appropriation is to build up the two simultaneously and harmoniously.

Mr. LODGE. I thank the Senator.

Mr. KING. Mr. President, without being critical, one is compelled to suggest a lack of interest upon the part of the Senate in measures carrying very large appropriations. We have before us now a bill which carries an appropriation of more than \$223,000,000 for the War Department. Looking around the Senate Chamber, I perceive not more than 10 or 15 Senators present.

We seem to accept the view that appropriations, no matter how large, need but little consideration. It has become a habit with us to vote for appropriation bills carrying hundreds of millions of dollars with but little consideration and but little debate. It is assumed that the House has given due consideration to appropriation measures, and that the Senate Committee on Appropriations likewise has been satisfied with the measures which it reports to the Senate.

However, this attitude toward appropriation bills is not justified, particularly in view of the stupendous sums that are being appropriated and the certainty of an enormous deficit at the end of the fiscal year. I fear that we have been induced to support these very large appropriations for the Army and the Navy without due consideration, and in part as a result of an emotionalism, or at least because in other parts of the world the clouds of war are hovering over the people. Undoubtedly conditions in other parts of the world may not be ignored; but unless there are strong reasons to support appropriations of more than \$2,000,000,000 for the next fiscal year for military purposes, we are not justified in giving them our support.

A few days ago the Senate passed a bill carrying more than \$508,000,000 for the Army, and subsequently a deficiency bill, carrying more than \$70,000,000 was passed. In addition to these appropriations, it is known that the Works Progress Administration has, in the past, been called upon to make important contributions toward the construction of military and naval works, and during the next fiscal year it is anticipated that the Works Progress Administration will be called upon to aid in carrying out the program of the Army and the Navy.

As I have indicated, notwithstanding the very large appropriations for the fiscal year ending June 30, 1939, the appropriations for the next fiscal year will exceed the aggregate amount by several hundreds of millions of dollars. It is manifest that before Congress adjourns, the appropriations for the Army and Navy for the next fiscal year will be in excess of \$2,000,000,000.

I have upon various occasions challenged attention to the unwise course which I believe our Government is pursuing in the matter of appropriations. Notwithstanding the heavy tax burdens resting upon the people, the appropriations are substantially double the revenues. For the next fiscal year, the revenues will approximate \$5,000,000,000; and the appropriations, in my opinion, will total \$10,000,000,000.

In addition to this great list of appropriations, Congress has authorized, and will authorize before this session concludes, expenditures aggregating approximately \$4,000,000,000. Indeed, it is difficult to determine just what the contingent liabilities of the Government will be as a result of legislation enacted at this session of Congress.

It is obvious, however, that the gap between revenues and appropriations is widening, and that the Government will soon reach the authorized limit of indebtedness of \$45,000,000,000. Suggestions were made in various executive departments that the limit of indebtedness was too restrictive, and that legislation be enacted that would authorize \$50,000,000,000 of national indebtedness. Suggestions are being made by some in executive authority that, in view of the fact that the expenditures of the Federal Government were largely confined to the United States, there was no justification for any fear of dangerous consequences resulting therefrom. In other words, it is the philosophy of some in authority that if we spend the money in the United States, it is quite unimportant as to the amount which is appropriated by Congress.

I fear that this delusion is influencing many Americans and is more or less pervasive in the executive and legislative branches of the Government. Attempts to restrict appropriations are unavailing, and, as I have stated upon former occasions, the orgy of spending is increasing in intensity. The result inevitably must be inflation, with all the evils which attend inflationary policies.

From time to time during the past few years motions have been submitted to reduce appropriation bills. But limited support has been given to the same. Indebtedness, whether of individuals, communities, States, or governments, is a burden upon the people, and ultimately it may become so oppressive as to produce the most serious consequences. Our Government, rich as it is, may not continue indefinitely the policy of spending which has characterized it for a number of years. The deficits during the past 6 or 7 years will reach the sum of approximately \$25,000,000,000. During this same period the Federal Government has, through its tax laws, compelled the American people to make contributions to the Federal Treasury of approximately \$30,000,000,000.

Loose fiscal policies produce unfortunate, and often disastrous, results. There is no promise of immortality to nations, and if they violate the rules of prudent conduct, they will be compelled to pay the penalty. Great economists and historians animadvert upon the evils of profligate spending, and the pages of history record the undermining of governments and the destruction of nations as a result of extravagance and waste and profligate spending.

As I have indicated, there is no promise of immortality to this Republic. A great historian has told us that the history of all governments is a history of the follies of their people. This Republic has attained great prestige, and stands today as the most important Nation in the world. And yet, nations, as well as individuals, must take heed lest they fall.

We are pursuing, I regret to say, a reckless course in the matter of expenditures and in following unwise and often illegal and unconstitutional policies. I protest against departures from constitutional government and the entering by the Federal Government into fields of endeavor that are outside of the sphere of governmental authority. To avoid the tragedies that have come to other peoples and other nations, we must pursue a path of safety and adhere to wise and sound policies which in letter and spirit are in harmony with constitutional government.

Mr. VANDENBERG. Mr. President, supplementing what the Senator from Utah has said, I wish to add merely one observation. Unfortunately, the Senate never has the same opportunity to canvass the details of appropriations that the House has. I will give one example, because it challenges my attention.

We now have what is called a National Emergency Council in the executive department. I wonder if the Senator from Utah, who is perhaps the closest student in this body of these details, knows that apparently about one-half of the activity of the National Emergency Council consists of making motion pictures; that the Congress of the United States in a relief bill has just appropriated three or four hundred thousand dollars to make motion pictures; that about 400 films have thus far been made; that one film has cost \$165,000; and that at this moment of grave challenge to the fiscal integrity of the Government we have a pay roll in the Executive Office which includes such items as these:

Film-service director, \$10,000.

Chief of production of films, \$9,000.

Motion-picture director, \$9,000.

Director of photography—a new position—\$9,000.

Mr. ADAMS. Mr. President, may I interrupt the Senator at that point?

Mr. VANDENBERG. Yes, indeed.

Mr. ADAMS. I call the attention of the Senator to the fact that he is reading a list of things which were desired, not a list of things which were granted, because the Senate Appropriations Committee eliminated the film-service item.



Mr. VANDENBERG. Does the Senator from Colorado mean that the bill as we passed it has done away with the entire film activity of the Federal Emergency Council?

Mr. ADAMS. I do not. I mean the bill which came to us adding \$850,000 to the National Emergency Council contained a requested increase of \$150,000 for film service, and we declined to include the film-service item; so the bill was passed without a special appropriation for the film service. That is what happened. There is in existence a film service, which has been financed from various departments. The Works Progress Administration had some work done, the cost of which they paid. The Public Works Administration had some work done. I think some of the other departments had some work done by that service. It was all moved under the Bureau of Education. But we did not make the requested appropriation specifically for that service. I knew the Senator from Michigan would like to have that explanation.

Mr. VANDENBERG. I am very glad to have that information. I am sure the Senator from Colorado would agree with my viewpoint regarding this sort of extra curricula activity on the part of the Federal Government.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. THOMAS of Oklahoma. I may suggest that the film business has been a development of the past 20 or 25 years. When the present administration came into power practically every bureau of the Government had a well-developed film or motion picture service. It seemed that every department wanted to organize a movie service to the end that its particular activities could be photographed and preserved for the benefit of posterity. Under the Reorganization Act an effort is being made to get rid of all these various movie activities, and to center the necessary and essential activities under one head. That is the occasion for this item in the bill. It may look strange because the service is centered, but if Senators will compare the expense under this item with the expense under the former system of permitting every department to have a movie division, I think they will find it effects an essential saving.

Mr. VANDENBERG. Mr. President, I am glad the Senator thinks there is progress through sanity. I do not think that any activity purely propaganda in its nature should be charged to the taxpayers of the United States at a moment when for 9 consecutive years we are paying \$15,000 a minute out of the Treasury and taking in \$9,000.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. LODGE. As I understand, the Senator is referring to the use of relief money for these films?

Mr. VANDENBERG. Yes.

Mr. LODGE. In that connection let me say that we looked into that matter in the Byrnes committee last winter, and I asked the then Administrator, Mr. Hopkins, about the use of relief money for this purpose, and inquired whether relief labor was used to produce these films, because it would seem that if relief appropriations were involved they should rather be used to give relief to the community. He said that that was not the case, that these films were not made with relief labor; that when it came to the matter of imparting knowledge to the public about the W. P. A. programs he thought that those were very small considerations. He applied the same reasoning to the expensive printing to which the Senator from Michigan called attention 2 years ago. I asked him whether that was done with relief labor, and he said "No," that it was not, but there again, when it came to conveying knowledge to the public about the W. P. A., expense was no object.

I then asked him why it was that the accounts of the W. P. A. should be printed in so much more expensive and luxurious style than are the deliberations of Congress, which are, after all, simply printed in the CONGRESSIONAL RECORD, and he said that he did not want to answer that question. If the Senator from Michigan has an answer to that, I know we would all be interested to hear it.

Mr. VANDENBERG. Mr. President, I think the answer is obvious. It is bureaucracy's appetite in the first instance, and bureaucracy's purpose to perpetuate itself at any cost in the final analysis. That applies not only to the movie item but the radio item in the same bill. When, night before last, I asked the able Senator from Colorado what the radio item was for, he was not able to tell us. I have read the House committee hearings, and I find that the Radio Division of the National Emergency Council has numerous activities, but at the moment it is engaged as follows—and for this we made a specific appropriation of relief funds—I read:

At present the Radio Division is making a series of electrical transcriptions for the President and members of his Cabinet.

Mr. President, I repeat, in passing, that if the Senate could know the detail of the waste and exploitation which is wrapped up in some of these appropriation bills, even the blase Senate would be shocked.

The PRESIDING OFFICER. The question is on the engrossment of the amendments, and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. KING. Mr. President, I had intended to offer an amendment to reduce the appropriations carried in this bill to the extent of 10 percent. However, upon further consideration I shall pretermit that purpose for the present, and after all the appropriation bills have been passed I shall offer an amendment calling for a reduction of 10 percent in the aggregate of all appropriation bills.

The President of the United States to a very large degree won the confidence of the American people when he came into office and recommended a reduction of 25 percent in appropriations. Certainly this blase Senate and this blase Congress—a Congress which apparently is indifferent to enormous appropriations—ought to join with any Senator in asking for a reduction of 10 percent. I think we would be entirely warranted in asking for a reduction of 25 percent in the aggregate appropriations which will be made by perhaps the "spendingest" Congress this Nation has ever known.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (H. R. 6791) was passed.

Mr. THOMAS of Oklahoma. Mr. President, in order to expedite final action on the bill, I move that the Senate insist on its amendments, ask for a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer (Mr. JOHNSON of Colorado in the chair) appointed Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPARD, Mr. TOWNSEND, and Mr. BRIDGES conferees on the part of the Senate.

#### ADDITIONAL CLERK HIRE IN THE HOUSE OF REPRESENTATIVES

Mr. TYDINGS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 6205.

Mr. AUSTIN. Mr. President, may I inquire what the bill is?

Mr. TYDINGS. It is a bill to provide for additional clerk hire in the House of Representatives, and for other purposes.

Mr. AUSTIN. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland [Mr. TYDINGS]?

There being no objection, the Senate proceeded to consider the bill (H. R. 6205) to provide for additional clerk hire in the House of Representatives, and for other purposes, which had been reported from the Committee on Appropriations with an amendment.

Mr. TYDINGS. Mr. President, the bill is only two pages long. It originated in the House of Representatives. It provides for an additional clerk for each Member of the House.

It has been the traditional policy of the Government that whatever either branch of Congress wanted to do in its own body it had a right to do without interference from the other branch. We had a problem in the Senate. For a long time Senators had been obtaining clerk hire during the emergency from the contingent fund. That arrangement was eliminated, and a permanent arrangement substituted.

The PRESIDING OFFICER. The amendment reported by the committee will be stated.

The amendment was, on page 1, after line 7, to insert:

Sec. 2. Section 1 of the Legislative Pay Act of 1929 (U. S. C., title 2, sec. 60 (a)), is amended by adding three new paragraphs under the caption "Clerical Assistance to Senators," as follows:

"Ninety-six additional clerks at \$1,800 each, one for each Senator, in lieu of the assistant clerks now authorized by Senate Resolution 144, agreed to August 15, 1935, which resolution is hereby repealed as of January 1, 1940.

"Each Senator shall have one additional clerk at \$1,500 per annum, and in addition thereto each Senator from any State which has a population of 3,000,000 or more inhabitants shall be entitled, in addition to the one clerical assistant provided for in this paragraph, to one additional clerk at the rate of \$1,500 per annum.

"The majority and the minority leaders of the Senate shall each be entitled to have, in addition to any other clerical assistance to which he may be entitled under this act or any other act, a research assistant at \$5,000 per annum."

So as to make the bill read:

*Be it enacted, etc.,* That the joint resolution entitled "Joint resolution providing for pay to clerks to Members of Congress and Delegates", approved January 25, 1923 (U. S. C., title 2, sec. 92), is amended by striking out "to one or two persons" and inserting in lieu thereof "to one, two, or three persons."

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"The majority and the minority leaders of the Senate shall each be entitled to have, in addition to any other clerical assistance to which he may be entitled under this act or any other act, a research assistant at \$5,000 per annum."

Sec. 3. Section 2 of the Legislative Pay Act of 1929 (U. S. C., title 2, sec. 60 (b)) is amended to read as follows:

"Sec. 2. The clerk hire of each Member, Delegate, and Resident Commissioner shall be at the rate of \$6,500 per annum and shall be paid in accordance with the joint resolution of January 25, 1923, as amended: *Provided*, That no person shall receive a salary from such clerk hire at a rate in excess of \$3,900 per annum."

Sec. 4. This act shall become effective on January 1, 1940.

Mr. O'MAHONEY. Mr. President, it strikes me it might be well to call the attention of the Senate to the fact that the proposal contained in this amendment marks, so far as I know, the first act by the Senate of the United States to make a difference among the States. Constitutionally the States are all equal. When the Constitution was drafted it was thought of the highest public interest that each State should be represented by two Senators, regardless of population and regardless of any other differences which distinguish one State from another. From that time down to this moment the States have all been equal in this body. This is the first step to introduce inequality. Heretofore all Members of the Senate have had exactly the same clerical assistance. I venture the prediction that if the Senate now approves the proposal before it to grant additional help to Representatives of States of large population it will not be long before other steps will be taken to draw differences among the States and to grant larger powers and larger representation to the States of large population.

I recognize the fact that a very plausible argument can be made in support of the theory that greater weight should be given to those States which have large populations.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Gladly.

Mr. HAYDEN. Would not the Senator say "practical" rather than "plausible"? We must recognize that the State

of New York is really very much larger in population than the State of Arizona, and that the State of Illinois is larger in population than many other States.

Mr. O'MAHONEY. I accept the amendment. What the Senator says is quite true. The argument is both plausible and practical.

Mr. HAYDEN. The argument appealed to me, knowing the facts. California is a great State, with 6,000,000 people. Texas has a population of 6,000,000. Representatives of the States of larger population are necessarily burdened with more correspondence than Representatives of States of less than half a million people.

Mr. O'MAHONEY. I was about to remark that that is one of the practical or plausible arguments for the bill.

Mr. HAYDEN. I should hesitate a long time to insist that I be provided with clerks I did not need in order that Senators from the larger States who do need them may have them. It would be a waste of public money to appropriate money for additional clerks for my office.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield.

Mr. TYDINGS. Would not the Senator feel that the same observation should apply to mileage?

Mr. O'MAHONEY. Not all all.

Mr. TYDINGS. Why not?

Mr. O'MAHONEY. Because mileage is intended to convey Members of Congress to the Capital.

Mr. TYDINGS. Clerks are intended to help Members perform their duties after they arrive at the Capital. If the Senator puts all Senators on the same plane, it seems to me he is making fish of one and fowl of another when he draws the line between mileage and clerk hire.

Mr. O'MAHONEY. It seemed to me that the attention of the Senate ought to be called to this condition. I recognize, of course, that Senators from the larger States have a tremendous volume of correspondence. That correspondence has been increasing for all of us in recent years. I very well remember the time when most of the correspondence which came to Members of Congress came to those Members representing the Western States, because most of the business of citizens of those States was with the Federal Government, and a great proportion of the area of the Western States was under Federal control and domination. Much more of the Federal business was with citizens of those States than with citizens of Eastern States. However, that situation has completely changed.

Mr. President, I do not rise with the intention of opposing this proposal, but I feel that it should be made clear that we are placing our feet upon a new path. For the past 25 years the importance of this body has been steadily deteriorating. There can be no question about that, in my opinion. We have been surrendering the powers of the States, and Members of the Senate who come here constitutionally as representatives of the States actually have ceased to act in that capacity. It seems to me we are gradually turning to government by the populous States to the detriment of the constitutional theory under which our Government was set up.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The CHIEF CLERK. It is proposed to insert in the proper place the following new section:

SEC. —. That hereafter if a Senator should die during his term of office his secretary and other members of his office staff then borne upon the pay rolls of the Senate shall be continued on such pay rolls in their respective positions for a period of 90 days from the date of the Senator's death: *Provided*, That this shall not apply to clerks and assistant clerks of standing committees of the Senate when their services would otherwise continue beyond such periods.

Mr. THOMAS of Oklahoma. Mr. President, my amendment applies only to the Senate. I ask the Senator in charge



of the bill if he will not take the amendment to conference and work out a new section applicable to both Houses.

Mr. TYDINGS. Mr. President, the committee has not considered this amendment, but there seems to be merit to the proposal. If the Senator has no objection, we shall be glad to take the amendment to conference and see if we can work out a satisfactory provision.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6205) was read the third time and passed.

Mr. TYDINGS. Mr. President, I ask that the clerks be authorized to renumber the sections.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I move that the Senate insist on its amendments, ask for a conference with the House of Representatives thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. TYDINGS, Mr. BYRNES, Mr. ADAMS, Mr. OVERTON, Mr. TRUMAN, Mr. HALE, and Mr. BRIDGES conferees on the part on the Senate.

#### EXECUTIVE SESSION

Mr. TYDINGS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

Mr. TYDINGS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	King	Russell
Andrews	Ellender	La Follette	Schwollenbach
Ashurst	Frazier	Lee	Shipstead
Austin	George	Lodge	Slattery
Bailey	Gerry	Logan	Smathers
Bankhead	Gibson	Lucas	Stewart
Barbour	Gillette	McCarran	Taft
Barkley	Glass	McKellar	Thomas, Okla.
Bilbo	Green	Maloney	Tobey
Bone	Guffey	Mead	Townsend
Borah	Gurney	Miller	Truman
Bulow	Hale	Minton	Tydings
Burke	Harrison	Murray	Vandenberg
Byrd	Hatch	Neely	Van Nuys
Byrnes	Hayden	Norris	Wagner
Capper	Herring	Nye	Walsh
Clark, Idaho	Hill	O'Mahoney	Wheeler
Clark, Mo.	Holman	Overtton	White
Connally	Holt	Pepper	Wiley
Danaher	Hughes	Radcliffe	
Davis	Johnson, Calif.	Reed	
Donahey	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Eighty-five Senators have answered to their names. A quorum is present.

#### ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. LOGAN. Mr. President, from the Committee on Military Affairs I report favorably all Army nominations now pending before the committee. Inasmuch as the War Department is very desirous of making most of these appointments effective on July 1, I ask unanimous consent for the present consideration and confirmation of the nominations.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Mr. President, I have no objection, but will the Senator state the number of officers involved?

Mr. LOGAN. They are routine nominations numbering, I presume, 50 or 60, lieutenants, colonels, and other officers of different rank.

The PRESIDING OFFICER. Without objection, the nominations reported by the Senator from Kentucky are confirmed en bloc.

Mr. LOGAN. I now ask unanimous consent that the President be at once notified of the confirmation of the nominations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be notified.

#### EXECUTIVE REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of Leo E. Trombly, of New York, to be collector of customs for customs collection district No. 7, with headquarters at Ogdensburg, N. Y. (reappointment).

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of several officers for promotion and sundry citizens for appointment as officers in the Marine Corps.

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

#### THE JUDICIARY

The legislative clerk read the nomination of William S. Boyle to be United States attorney for the district of Nevada, which had been adversely reported.

Mr. BARKLEY. Mr. President, in view of the fact that the senior Senator from Nevada [Mr. PITTMAN] is at the present time attending the luncheon to the Crown Prince of Norway, I suggest that that nomination be passed over until later.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARRAN. Mr. President, will the Senator from Kentucky kindly make it clear that the Boyle nomination is going over only temporarily?

Mr. BARKLEY. Only temporarily; not for the day.

#### AGREEMENT BETWEEN UNITED STATES AND GREAT BRITAIN FOR EXCHANGE OF COTTON AND RUBBER

Mr. GEORGE. Mr. President, it is highly desirable that Executive N, under Treaties, Calendar No. 9, the agreement between Great Britain and the United States respecting the exchange of cotton and rubber, be taken up for consideration. That agreement might be disposed of now.

Mr. BARKLEY. I will say to the Senator that I have arranged mutually with the Senator from Vermont [Mr. AUSTIN] to take up the MacLeish nomination today, because I understand there is to be some discussion of it. If this agreement involves no debate, I shall be glad to see it acted on.

Mr. GEORGE. I apprehend that there will be no discussion. The agreement is unanimously reported by the committee.

Mr. AUSTIN. Mr. President, if the Senator will yield, I have had a rather hasty conference here, and, so far as I have been able to ascertain, I can find no objection on the part of the minority to proceeding to the consideration of the agreement, if it does not delay the other matter.

Mr. BARKLEY. I have no objection to its being disposed of now.

The Senate, as in Committee of the Whole, proceeded to consider Executive N (76th Cong., 1st sess.), an agreement between the Government of the United States and the Government of the United Kingdom for the exchange of certain reserve stocks of cotton and rubber, signed at London on June 23, 1939, which was read the second time, as follows:

#### AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM FOR THE EXCHANGE OF COTTON AND RUBBER

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland, desiring to make arrangements for the exchange of cotton and rubber, have agreed as follows:

ARTICLE 1. The United States Government will supply to the Government of the United Kingdom, delivered on board ship, compressed to high density, at New Orleans, Louisiana, and at other Gulf and Atlantic deep-water ports to be agreed upon between the two Governments, 600,000 bales of raw cotton of the grades and staples which will be specified by the Government of the United Kingdom. The United States Government will make available in adequate quantities for such purpose cotton from the

stock on which the United States Government has made advances to growers.

(A) The price will be fixed on the basis of the average market price as published by the Bureau of Agricultural Economics for middling  $\frac{3}{8}$ -inch cotton during the period January 1st-June 23rd, 1939, for spot delivery at New Orleans, plus 0.24 cent per lb. for cost of compression and delivery on board ship, with adjustments in price for other grades and staples according to differences above or below middling  $\frac{3}{8}$ -inch quoted in that period.

(B) The cotton will be inspected to determine its classification in accordance with the universal cotton standards for grade and the official standards of the United States for staple, and will be accepted, by experts appointed by the Government of the United Kingdom. Any disputes which may arise will be settled by Boards of Referees constituted of three members, of whom one shall be nominated by the Government of the United Kingdom.

(C) Samples representing the cotton of the grades and staples specified by the Government of the United Kingdom will be made available for inspection and acceptance during a period of six months beginning 15 days after the entry into force of this agreement, and such inspection and acceptance will be made within a reasonable time after the cotton is so made available. Delivery at the warehouse at the port of sailing with provision for free delivery on board ship at high density will be made within 15 days after inspection and acceptance, and storage and insurance charges will be borne by the United States Government for a period of two weeks but no more after delivery at the warehouse at the port of sailing.

(D) All cotton will be invoiced and accepted on gross weights at the time of delivery.

ARTICLE 2. The Government of the United Kingdom will supply to the Government of the United States, delivered on board ship at Singapore and, by agreement between the two Governments, at other convenient ports, rubber in bales, of the grades which will be specified by the Government of the United States, to a value equivalent to that of the total value of the cotton to be supplied in accordance with article 1 of this agreement. In determining such equivalent value, the rate of exchange between Straits Settlements dollars and United States dollars shall be deemed to be the average of the buying rate during the period January 1st-June 23rd, 1939, in the New York market, at noon, for cable transfers payable in Straits Settlements dollars, as certified by the Federal Reserve Bank to the Secretary of the United States Treasury and published in Treasury Decisions.

(A) The quantity of rubber will be calculated upon the average market price, as published by the Department of Statistics in the Straits Settlements, for No. 1 ribbed smoked sheets, during the period January 1st-June 23rd, 1939, for spot delivery at Singapore plus 0.25 Straits Settlements cents per pound for cost of baling and delivery on board ship, with adjustments in price for other grades according to differences quoted in that period.

(B) The rubber will be inspected and accepted by experts appointed by the United States Government. Any disputes will be settled in accordance with the normal custom of the trade.

(C) The rubber will be made available for inspection and acceptance by experts appointed by the Government of the United States during a period of six months beginning at a date to be agreed upon by the two Governments, and such inspection and acceptance will be made within a reasonable time after the rubber is so made available. Delivery at the warehouse at the port of shipment with provision for free delivery on board ship will be made within a period of 15 days after inspection and acceptance, and storage and insurance charges will be borne by the Government of the United Kingdom for a period of two weeks but no more after delivery at the warehouse at the port of shipment.

ARTICLE 3. If either Government should find that delivery in accordance with the arrangements specified in articles 1 and 2 is likely to restrict supplies available to commercial markets unduly or to stimulate undue price increases, the two Governments shall consult with a view to postponing delivery or taking other action in order to avoid or minimize such restriction of supplies or such price increases.

ARTICLE 4. The intention of the United States Government and of the Government of the United Kingdom being to acquire reserves of cotton and rubber, respectively, against the contingency of a major war emergency, each Government undertakes not to dispose of its stock (otherwise than for the purpose of replacing such stocks by equivalent quantities insofar as may be expedient for preventing deterioration) except in the event of such an emergency. If, however, either Government should at any future date decide that the time has come to liquidate its stock of cotton or rubber, as the case may be, it may do so only after (A) consulting the other Government as to the means to be employed for the disposal of such stock and (B) taking all steps to avoid disturbance of the markets. In no case may either Government dispose of such stocks, except in the case of a major war emergency, before a date 7 years after the coming into force of this agreement.

ARTICLE 5. The Government of the United Kingdom will use their best endeavours to secure that the export is permitted under the International Rubber Regulation Scheme of an amount of rubber approximately equivalent to the amount of rubber to be supplied to the United States Government under this agreement in addition to the amount of rubber which would, under the normal operation of the scheme, be released to meet current consumption needs.

ARTICLE 6. Each Government undertakes, in shipping to its own ports the stocks of cotton and rubber, respectively, provided for in this agreement, so far as may be possible to distribute the tonnage

equally between the ships of the two countries, provided that the shipping space required is obtainable at reasonable rates. Consultation for the purpose of giving effect to this article shall be between the Board of Trade and the Maritime Commission.

ARTICLE 7. Should the United States Government, before the delivery is completed of the cotton provided for in article 1 of this agreement, take any action which has the effect of an export subsidy, they will deliver to the Government of the United Kingdom an additional quantity of cotton proportionate to the reduction in price below that provided for in article 1 of this agreement caused by such action.

ARTICLE 8. This agreement shall come into force on a date to be agreed between the two Governments.

In witness whereof the undersigned, duly authorized thereto, have signed the present agreement and have affixed thereto their seals.

Done in London in duplicate this 23rd day of June 1939.

[L. S.] JOSEPH P. KENNEDY.

[L. S.] OLIVER F. G. STANLEY.

Certified to be a true copy of the foregoing agreement as received by the Secretary of State by cable from the American Ambassador at London.

CORDELL HULL,

Secretary of State of the United States of America.

JUNE 24, 1939.

The PRESIDING OFFICER. If there be no amendment, the agreement will be reported to the Senate.

The agreement was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive N, Seventy-sixth Congress, first session, an agreement between the Government of the United States and the Government of the United Kingdom for the exchange of certain reserve stocks of cotton and rubber, signed at London on June 23, 1939.*

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is agreed to, and the agreement is ratified.

#### LIBRARY OF CONGRESS

The legislative clerk read the nomination of Archibald MacLeish to be Librarian of Congress.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination.

Mr. AUSTIN. Mr. President, I think the Senate ought not to advise and consent to this appointment. I am going to state as briefly as I can some of the reasons why I think we should dissent to this appointment.

In the first place, I shall read a communication from the American Library Association.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. Yes.

Mr. BARKLEY. Is that the communication which was sent to me, to which the Senator from Vermont called my attention a week or so ago?

Mr. AUSTIN. Mr. President, I do not know whether or not it is the same one. I can tell by looking at it. I think not.

Several days ago I asked the majority leader whether he had received from San Francisco a communication of the librarians who were in session there—some 1,400 librarians. He has just called my attention to a communication which I have no doubt is the one which I understood had been sent to him; but I wish to read this one. It is dated "June 12, 1939, en route to San Francisco conference of American Library Association:"

The American Library Association urges the Senate not to confirm the appointment of Archibald MacLeish as Librarian of Congress, because he lacks the essential qualifications of a librarian. His ability and distinction as a man of letters are unquestioned. (We are not concerned with his politics.) But librarianship is not a literary pursuit. Writing is not of itself a suitable preparation for it.

Librarians, library trustees, and other citizen groups have worked for almost three-quarters of a century for the extension and improvement of libraries—with such success that the United States holds undisputed world leadership in library service. A primary reason for that success has been the emphasis on trained and experienced library administrators.

A hundred years ago every important library post was filled by somebody's political or personal choice. Now, nearly all are filled



by men and women who have prepared themselves for that vocation. The appointment of a nonprofessional as head of the Library of Congress would endanger the merit system of appointment to all library positions carefully built up during three generations.

Mr. MacLeish could not qualify for the librarianship of any college or public library in America which attempts to maintain professional standards—as most do. He most certainly is not qualified to be the Librarian of the largest and most important library in the world.

The administration of the Library of Congress is not a simple task which can be learned quickly. It is complex and highly professional.

It involves personnel administration. The Librarian is solely responsible for selection, appointment, training on the job, promotion, and discharge. The staff numbers 850 people. Many appointments are made each year.

It involves financial administration of yearly expenditures of \$3,000,000.

It involves general library administration in all its aspects. The Library of Congress is the head and center of the library system of America. Its first duty is to the Congress and other officers of the Government. But its varied services are also indispensable to scholars, special investigators, writers, the blind, universities, and all other libraries, in every State and Territory.

These services do not organize and run themselves. They must be continuously adjusted to educational and social changes. They are best operated, improved, and extended under the direction of a man who understands how and why they are performed. They would almost certainly deteriorate under amateur leadership. Those who use the Library would suffer.

The appointment of a man as a figurehead would do no honor to the appointee. It would, however, be a denial of the value of professional training and experience.

If any Senator thinks that the American Library Association may not fully represent all library opinion, he is respectfully urged to solicit the opinions of librarians and members of library boards in his own State.

The Congress and the people are proud of the Library of Congress. They should have as Librarian of that institution one who is not only a gentleman and a scholar but who is also the ablest library administrator available.

I think I add nothing to the communication when I say that the service which is described of the Library of Congress extends far beyond what has been set forth in the communication. The only usefulness of undertaking to show the breadth and scope of the service of the Library of Congress of the United States is to show that there should be selected for the Librarian of Congress a man who has the character and the special skill and knowledge required to conduct a great institution having a large personnel and performing a varied service to humanity. I think all Senators will admit that, and therefore it is not necessary to prove it.

The question, then, is whether this appointee is the type of man who, from all the great field of possibilities in America, should be picked out and placed in this leading Library of the United States.

I think that probably as fair a picture of the personality and character and color of this appointee as could be had could be gained from his own statement about himself. I have here an extract from *Living Authors*, by Stanley Jasspon Kunitz, published by H. W. Wilson Co., New York, in 1931:

Archibald MacLeish, the American poet, gives the following biographical sketch of himself.

This is Mr. MacLeish talking about Mr. MacLeish, and, of course, the test I wish to have applied to him is, Is he a librarian; is he of a character to become a librarian; is he an executive; is he of the potential capacity to become an executive? Those are natural questions. I read from Mr. MacLeish's sketch of himself:

Born May 7, 1892, in a wooden chateau overlooking, from a clay bluff and a grove of oak trees, the waters of Lake Michigan. Father a Scot, a Glasgow man, born a Presbyterian, ultimately a Baptist, always a devout Protestant; one of the early settlers of Chicago; 54 when I was born; a merchant; a cold, tall, rigorous man of very beautiful speech. Mother a Connecticut woman, daughter of a Congregational minister, herself a graduate of Vassar and a teacher there; her family a seafaring family from the Connecticut coast about Norwich; very passionate people with many mad among them; a very strong family resemblance from one generation to the next—small dark eyes and high cheekbones and similar voices; she was my father's third wife; intelligent and energetic and tireless and virtuous.

Four of us grew up—one to be killed flying with the British over Belgium. Public schools. Lake Beach. Oak thickets. Went to a fashionable Connecticut preparatory school for 4 years and hated it.

Went to Yale. Regular undergraduate life—football team, swimming team, chairman of the Literary Magazine, Phi Beta Kappa, senior societies; began writing, but learned little about it and had little life of my own. Went to Harvard Law School to avoid going to work; led my class the last year; worked terribly hard because of the competition, but could never believe in the law.

Mr. BARKLEY. Mr. President, if I may inquire of the Senator, a copy of the statement I have, both as published in the magazine and also sent to me by Mr. MacLeish, does not read exactly as the copy from which the Senator is quoting reads.

Mr. AUSTIN. In order to know anything about that I would have to see the Senator's copy. I have never seen any copy except this one.

Mr. BARKLEY. For instance, the Senator read something referring to Mr. MacLeish's mother, where he referred to her virtue. The article which I have, which Mr. MacLeish wrote, and which appeared in the magazine and in this book, says, "intelligent and energetic and entirely selfless and beloved." The Senator did not read that.

Mr. AUSTIN. I read it this way, "intelligent and energetic and tireless and virtuous."

Mr. BARKLEY. I do not suppose it makes any difference.

Mr. AUSTIN. I do not think it affects the candidate.

Mr. BARKLEY. Evidently there is a discrepancy there.

Mr. AUSTIN. The sketch proceeds—

Married Ada Hitchcock, who is a singer. This while I was in law school. Son born early in 1917. War: Went abroad in a hospital unit so as to do the right thing, but not be hurt. In France, got shifted to the field artillery out of shame.

Mr. BORAH. Mr. President, is the Senator now reading a statement from Mr. MacLeish himself?

Mr. AUSTIN. That is what it purports to be.

Mr. BORAH. Is that the statement in which he said he sought a position where he would not be hurt?

Mr. AUSTIN. Yes.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. TOBEY. Was not this statement made at a class reunion?

Mr. AUSTIN. I do not know.

Mr. TOBEY. I think this statement was made by Mr. MacLeish as an alumnus of college, or of the university, to a class association meeting, at their annual reunion, and has in it a little facetious vein against himself. I think we ought to know the origin of this, as well as the substance.

Mr. AUSTIN. I thank the Senator for affording any information about it at all that he has. I certainly am not trying to give this statement any color whatever. I am reading what purports to be a statement by Mr. MacLeish himself. If the circumstances in which it was made give it a significance different from what the circumstances in the Senate give it, there is no doubt at all he should have the benefit. Read here in the Senate of the United States it probably does have a derogatory effect. It certainly had that impression on my mind, and what is still to follow corroborates that impression.

The nominee's sketch of himself proceeds:

War; went abroad in a hospital unit so as to do the right thing but not be hurt. In France got shifted to the field artillery out of shame; few weeks at the front north of Meaux in July 1918; sent home to take battery in new regiment of 155 G. P. F.'s; ended up a captain of field artillery at Camp Meade with no distinction but fact that my brother Kenneth had been a grand flier and had been killed.

Taught for a year at Harvard to avoid (again) going to work. Wrote a little all the time but it wasn't any good. One book of undergraduate verses, *Tower of Ivory* (1917), published while I was in France. Practiced law for 3 years in the office of Charles F. Choate, Jr., in Boston, trying cases mostly and did pretty well, but couldn't write. Only one desire—to write the poems I wanted to write and not the poems I was writing. Winter of 1923 decided to go to France anyway on what we had. Date the beginning of my life from the year. Went in the fall of 1923 with two children. Lived in the Boulevard St. Michel and at St. Cloud and later in the Rue du Bac. One summer in Normandy. After that on the Mediterranean, cruising a great deal. Went one spring for 5 months to Persia, going down through the central cities to Bushire and west along the Persian Gulf to Mohamara and back through Shiraz and Ispahan to Teheran. All this time reading, mostly

French poetry and chiefly Laforgue, Rimbaud, Leon Paul Fargue, St. J. Pierre, Valery. Also Eliot and Pound. Began writing in 1923. Published the *Happy Marriage* (1924), *The Pot of Earth* (1925), *Nobodaddy* (1925), and *Streets in the Moon* (1926). Came home in 1928 and lived on a farm. Have since published the *Hamlet* of A. MacLeish (1928) and *New Found Land* (1930). Traveled in the monte in Mexico alone for some time in the early spring of 1929, going over the route of Cortez from San Juan de Ulúa to Tenochtitlan. Do hack work in New York when I have to.

Burton Rascoe describes MacLeish as "a clear-eyed, deferential young man with an extremely Nordic head, quiet manners, and an ungovernable passion for discussing esthetics—esthetics in the round, in the general, in the specific, in the concrete—any way so long as it is esthetics."

Have Senators heard anything in this account which leads them to believe that this person, charming as he pictures himself, has had any experience or any training which has been recognized by men as fitting him for an executive position, having charge of 850 men engaged in a varied service, affecting all phases of human life, as we know it to be, in the Library of Congress? Have my colleagues heard anything in this which indicates the personality or the character or the qualifications of a librarian, a man having to do with the acquisition and preservation in a systematic way of the literature of the entire world? I have not. From my point of view, the background given in this statement is sufficient to make me pause and question before I accept this man as one who should be placed at the head of the Library of Congress.

Mr. President, *Time* magazine for April 25, 1938, in reviewing Mr. MacLeish's book, *Land of the Free*, said among other things what I am about to read. I ask unanimous consent that I may insert in the *Record* at this point the entire article, to certain parts of which I intend to call particular attention.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the *Record*, as follows:

[From *Time* magazine, April 25, 1938]

Some time after the great depression, Poet Archibald MacLeish, growing more and more shocked by contemporary United States social and economic conditions, decided that his poetry had better get busy and do something about them. To carry out this decision, which seemed to necessitate writing poems about matters of immediate popular concern, Poet MacLeish began to top work his poetry on to popular art forms. First sizable sprout to grow from this top working was *Panic* (1935), a graft of lyric poetry on the drama. This verse-play depicted a scene from the currently expected crack-up of what Communists call capitalism, capitalists call civilization. Most of those who saw *Panic* agreed that it was more theatrics than theater, felt that it only confirmed the general rule that verse plays should be read, not seen—but also felt that in it Verse-Playwright MacLeish had made some good, if confused, topical points.

Next product of Poet MacLeish's top working was a radio-play poem, *The Fall of the City*, broadcast in 1937. A radio-studio innovation, it presented fascism as a spook in armor, stalking in on and taking control of a nation paralyzed by inertia, fear, and propaganda. Few listeners-in agreed on the poetic merits of what the rather wild air waves had been saying, but most did agree that if fascism should come to the United States it would come as a man, not a spook; agreed also, that in *The Fall of the City*, Radio-Play-Poet MacLeish had made some good, if eerie, topical points.

Latest socio-poetic graft that Poet MacLeish has produced is *Land of the Free*, in which he top works his poetry on to the art form of the news-picture magazine. In this book, 88 photographs of United States landscape and people (taken independently of Poet MacLeish, and mostly for the Resettlement Administration) are illustrated by a running verse commentary in which Poet MacLeish says his say about a sweet land whose liberty, for many of its inhabitants, went sour.

What these inhabitants look like, what their share of the United States has become, is recorded with indelible indifference by the heartbreaking or horrifying photographs in the *Land of the Free*. They showed piercingly characteristic, dead-beat scenes from all over the United States, with a heavy preponderance from below the Mason-Dixon line. Consequently, some may feel that Poet MacLeish's selection doesn't fight fair with all-American self-gratulation; that too many of its blows land below the Bible belt. Most people, however, will agree that these superbly taken, brilliantly presented photographs are the most exhorting testimonial yet published to the gutting that United States citizens have given the American Continent and that the continent is giving back to United States citizens.

The sound track of verse accompanying these photographs sometimes runs close to the story they tell, sometimes veers off in its

own direction. No photograph in the collection really matches up with Poet MacLeish's main proposition:

Maybe the liberty we thought we had

Was room to be left to ourselves to have liberty. . . .

or its revolutionary corollary:

We wonder if the liberty is done: . . .

Or if there's something different men can dream

Or if there's something different men can mean by liberty . . .

Or if there's liberty a man can mean that's

Men: not land.

Mr. AUSTIN. The article reads in part:

The latest socio-poetic draft that Poet MacLeish has produced is *Land of the Free*, in which he top works his poetry onto the art form of the News-Picture magazine. In this book 88 photographs of United States landscape and people (taken independently of Poet MacLeish, and mostly for the Resettlement Administration) are "illustrated" by a running verse commentary in which Poet MacLeish says his say about a sweet land whose liberty, for many of its inhabitants, went sour.

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Men: not land.

That was written in 1938.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BARKLEY. Is the Senator quoting from *Time* magazine or the literary productions of Mr. MacLeish?

Mr. AUSTIN. From *Time* magazine of April 25, 1938, in reviewing Mr. MacLeish's book, *Land of the Free*.

Mr. BARKLEY. Time does not purport to quote from his book, but simply comments on it?

Mr. AUSTIN. Oh, yes; it quotes from his book. I have read two quotations from it.

Mr. BARKLEY. I asked the Senator whether he was reading from *Time* magazine's comment on it or from Mr. MacLeish's book?

Mr. AUSTIN. I was reading from *Time* magazine, but it pretends to quote. I have answered both questions correctly, I believe.

The point is he made selections for his own book of photographs which would display a country that had gone sour in respect of its liberty for many of its people. The point is that in his editorial comment on these "horrible, piercingly characteristic pictures," as *Time* speaks of them, he used this sort of language:

We wonder if the liberty is done: . . .

Or if there's something different men can dream

Or if there's something different men can mean by liberty . . .

Or if there's liberty a man can mean that's

Men: not land.

And the other one:

Maybe the liberty we thought we had

Was room to be left to ourselves to have liberty. . . .

Here is a later one. Writing in the magazine *Survey Graphic* for May 1939, Archibald MacLeish presented the following positive creed of an ardent Democrat, in part, under the title "Liberalism and the Anti-Fascist Front." This purports to be a quotation from his article. If it is not,



of course, it will have a different significance here. But I think the quotation from the article written by this gentleman should be read here in order to give evidence that some of the charges made against him are probably not well-founded, and, without my interrupting the reading, I am sure Senators will get the point of my remarks.

I call the Senators' attention to the fact that this was written last month, May 1939. Whether there are events existing now which have cast their shadow before them, I leave to Senators to consider.

Speaking still for myself, I can only say that I do not believe in the negative policy, the defensive policy, the antifascist policy. I believe only in an affirmative policy, an offensive policy, a pro-democratic policy. I believe that American liberalism must refuse to follow the communist lead, that it must refuse to forego its own nature and its own purposes, that it must refuse to identify democracy with the status quo, that it must become not less liberal, less radical, but more liberal, more radical. I believe that American liberalism must become more liberal, not less liberal as the danger in Europe becomes more acute. I believe that American democracy must invent and continually reinvent its democracy; that it must attack, not defend.

Briefly, I believe that American liberalism must accept the full obligation of its decision to defend democracy against fascism. It must ask itself, "What do we mean by democracy?" And it must answer that question. It must answer, "We mean by democracy a society in which the dignity of man is of first importance, a society in which everything else must be subject to, and must support, the dignity of man." In Marxist theory economics comes first—all politics is economics and economic necessity determines political action. In Fascist practice politics comes first, all economics is politics and the political police determine the operation of economic laws. In democratic theory man comes first—both politics and economics are subjected to the advancement of the dignity and decency of man.

What our American liberalism must do in this crisis, and in this crisis more than at any other time, is to apply the definition of democracy to the times and to say how and by what means democracy in these times can be strengthened and made vigorous.

More precisely and more practically, what American liberalism must do in this crisis is to forego the characteristic liberal attitude of critical correction and accept instead the risks of action.

It must put aside the irresponsible self-righteousness with which it sometimes judges the decisions of those charged with the government of the Republic, and accept instead its share of responsibility for that Government.

It must accept responsibility for steps already taken which lead in the direction a dynamic democracy should go—steps like the Tennessee Valley Authority, the Federal arts projects, the techniques developed by the Department of Agriculture for the democratic control of programs of production—and exert its strength to extend those experiments in their own fields and to invent their analogies elsewhere.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Vermont yield to the Senator from Idaho?

Mr. AUSTIN. I yield.

Mr. BORAH. Where was what the Senator has just read delivered, and under what circumstances?

Mr. AUSTIN. I understand that it was written and published in the Survey Graphic for May 1939.

Mr. BORAH. Does the Senator find fault with Mr. MacLeish's definition of "democracy"?

Mr. AUSTIN. I do not. I think that in any estimate of this candidate one should be entirely fair about him. If we are to judge whether he is a suitable person to become chief executive of a personnel of 850 men and women, we should consider all phases of his character, and I am presenting what I regard as that which is good as well as that which I would criticize.

I have no doubt that what I have read was written perhaps in the light of events of the current day. Yet I think it is a sincere statement by this man.

Mr. BORAH. Mr. President, I was simply trying to ascertain the viewpoint of the Senator from Vermont in regard to that matter, because this is the first time I have seen the article or heard it read. It is characteristic of the Senator from Vermont to present matters ably, fully, and fairly.

Mr. AUSTIN. Mr. President, I intend to present also editorials for this candidate as well as editorials against him, if I shall not be wearying the Senate too much by doing so.

My contention will not be that this man is a Communist. My contention is limited to this: That all there is about this

man shows him to be a remarkable literary genius, a man with a remarkable style, both poetic style and prose style; that he is undoubtedly an independent, deep thinker and an idealist; and that he has the gift of ideality, which produces ideas. They come springing from him when others might have to dig and dig to formulate them.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I have not quite finished my sentence. I want a "but" in it. That is a famous word. But these qualifications are inadequate, if there is no more about this man than that, to constitute him a suitable librarian for the Library of Congress. That is my point.

I yield to the Senator from Kentucky.

Mr. BARKLEY. I wonder if the Senator would permit me, in connection with what he read from the May issue of Survey Graphic, to read a paragraph in an article in the February issue of the same magazine which could not have been written under circumstances connected with this appointment.

Mr. AUSTIN. I shall be glad to have the Senator from Kentucky read it in my time.

Mr. BARKLEY. Mr. MacLeish is still talking about democracy and freedom. I shall read only a paragraph or two, because it is in line with what the Senator has said:

The will to defend democracy demands a belief in democracy. And belief in democracy demands that democracy should be a way of life with future and unachieved objectives such as men can continue to desire.

If the democracy to be defended is merely the status quo which the great corporations and the reactionary newspapers call democracy when they shout for its defense, then the belief will be cool and the will feeble.

If, however, the democracy to be defended is a future democracy, a true democracy which will admit the failures of this democracy and set them straight—if the democracy to be defended is a free man's way of dealing with a free man's evils in order to create a free man's world, then the will to defend and protect that democracy will be strong enough to sweep over any challenge. But that kind of will and that kind of belief are not achieved by refusing to permit democracy to be attacked. To refuse to permit democracy to face attack is to turn democracy into the status quo and freeze it in a form in which only a small minority can believe.

Democratic belief in democracy and the popular will to defend it, are achieved only by permitting democracy to face any attack, however slanderous, however murderous, answering the proposals of the attackers with such proposals as a democracy can make. Those who believe in democracy because they believe in the people will have no fear of the outcome. Those who believe in democracy for another reason may very well fear, but their fears will be irrelevant.

I feel sure that the quotation from the earlier article, supplementing the article to which the Senator has referred, will amplify this man's theory of democracy and what it means.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. MALONEY. I wish to keep the RECORD straight. The Senator from Kentucky has pointed out that the article which he read appeared long before there was the slightest indication that Mr. MacLeish would be nominated as Librarian of Congress. It seems to me that would give the impression that the article read by the Senator from Vermont might have appeared after Mr. MacLeish was nominated. Is it not a fact that the article which the Senator from Vermont read was also published before Mr. MacLeish was nominated?

Mr. AUSTIN. I cannot recall the date on which the nomination was made.

Mr. BARKLEY. It was some time in the neighborhood of the 10th or 12th of June.

Mr. AUSTIN. This issue of the Survey Graphic came out in May.

Mr. BARKLEY. It came out in May, and was undoubtedly written before May. Most articles in magazines are written in advance of their publication.

Mr. MALONEY. That is correct. I should like to make the further observation that it has been widely published that the nomination came to Mr. MacLeish as a complete surprise.

Mr. AUSTIN. I have no doubt of that. I should judge from his own statement of his character that he is so modest and so understates his own good qualities that he

himself would not admit that he was qualified if he were called upon to do so. He certainly would not seek the appointment.

It will be recalled with what freedom he confessed that he did not like work. Time after time in his biography he says he did this thing and that thing in order to avoid work.

Worked terribly hard. Went to Harvard Law School to avoid going to work. Led my class in last year. Worked terribly hard because of the competition, but could never believe in the law.

Of course, I cannot explain what he means by that.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I have not quite finished. Let me finish this and preserve the continuity of it. Then I shall be glad to yield:

Taught for a year at Harvard to avoid going to work.

Again he says:

Do hack work in New York when I have to.

I think that pictures the type of man who would not be out hustling for advancement.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. The copy of the article which Mr. MacLeish sent to me does not read exactly the same as the copy which the Senator has read. According to the copy I have, this is what he says with regard to his work at Harvard:

Went to Harvard Law School to avoid going to work.

That is the same. That, of course, is a Pickwickian, facetious way of referring to himself, because nobody could lead his law class at Harvard without doing a considerable amount of work.

Led my class in last year. Began writing but learned little about it and had little life of my own. Went to Harvard Law School to avoid going to work. Led my class in last year. Worked terribly hard because of the competition, but was never really good.

That is the language he uses in the copy I have, instead of the language quoted by the Senator from Vermont. I do not know that it makes much difference. He still deprecates his own ability, notwithstanding the fact that he led his class at the law school.

Mr. BORAH. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. I yield to the Senator from Idaho.

Mr. BORAH. All the letters which I have received in criticism—and most of them have been in criticism—are based upon the idea that Mr. MacLeish has not had experience as a librarian, and there the letters stop. Not one attacks his character or intellectual integrity or standing as a man; but there seems to be a view on the part of many that he should have experience as a librarian, just as it might be claimed that a man should have experience as a lawyer before he is admitted to the bar. As I understand, that is really the position which the able Senator from Vermont takes.

Mr. AUSTIN. No; it is not. Unfortunately, I have not made myself clear. The position which I take is better stated than I have stated it in a letter dated June 16, 1939, from Joseph L. Wheeler, librarian of the Enoch Pratt Free Library of Baltimore, Md., to the Baltimore Sun. He says, among other things:

What we need at the Library of Congress is continued competent leadership. The first criticism I heard of the President's appointment, in terms of amazement, was not from a librarian but from a retired professor, a lifetime user of the Congressional Library. No librarian worthy of the name protests Mr. MacLeish's appointment just because he is not a trained librarian, or just because he is a poet. It is because he has not had the experience nor the opportunity to exhibit the qualities of an administrator. Is he to acquire these at the head of the greatest library at the expense of the taxpayer? Too many libraries and their constituents have suffered from similar ill-advised appointments. In one large city only 3 years ago the people arose in disgust and in a public campaign thousands went about the streets bearing the slogan "We want a trained librarian." After all, the public is paying for a competent service.

Mr. BORAH. That states what I have in mind. Perhaps I did not state it clearly.

Mr. AUSTIN. It is not only because he is not trained. Training as a librarian is a good thing for a librarian to have; but if a man came to the Library of Congress with training and experience as an executive in control of the administration of an institution having a large number of employees engaged in various diverse activities requiring supervision, and judgment in handling and controlling a system so that the details of the institution will run smoothly and without collision, he need not have had training as a librarian to satisfy me. As the executive head of the Library of Congress, he would soon acquire the special knowledge and training of a librarian. That is what I mean.

Mr. BORAH. In other words, the Senator has in view that he should have had a vast amount of executive training?

Mr. AUSTIN. He should have sufficient executive training to be able to give some evidence of his capacity as an executive. As nearly as I can find out from my study of Mr. MacLeish, he has had none at all.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. MALONEY. He was an officer during the World War.

Mr. AUSTIN. Yes, indeed; but that is wholly different. I cannot conceive of experience as a military officer in the World War qualifying a man to control a large institution such as the Library of Congress.

Mr. MALONEY. I did not offer it in that respect. The Senator said Mr. MacLeish had had no administrative or executive experience.

Mr. AUSTIN. That is what I meant.

Mr. BORAH. Mr. President, in the last analysis, the objections are based really on the contention that he has had no experience in library work.

Mr. AUSTIN. No; I do not think so.

Mr. BORAH. It seems to me so, because Mr. MacLeish is a man of character, a man of learning, a man of culture, and he has a fine conception of democracy and of the rights of men. The only thing he seems to lack is that he has not had library training. That appears to be the basis of the objection.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from New Hampshire.

Mr. TOBEY. I should like to say that at the hearings held by the Committee on the Library, at which I was present, the Library Association of America delegated two of their leaders to come before the committee and give testimony against the confirmation of the nomination of Mr. MacLeish. As they appeared there, I addressed this question to the spokesman of that group, "Is the sole objection of your Library Association to the confirmation of this man's nomination based upon the fact that he has not had technical library training?" He said, "Absolutely and solely." I submit that to the Senator from Idaho.

Mr. BORAH. That has seemed to be the only objection that has come to me through correspondence, and so forth. The question that arises is, Must we be confined in our selection to a person who actually has had library training when we find a person who is finely equipped in every other respect? In regard to this matter, it occurred to me that that is the one question involved—whether we must be confined in our selection to men who have had technical training as librarians, although they may be otherwise splendidly equipped.

Mr. AUSTIN. That is not my view; that is not my position. I think the question we are confronted with here is very much broader. We might well approve the appointment of a man who had never had any library experience if we were satisfied that he had education and training and had the characteristics necessary to make him an executive. I have already said, and I repeat for emphasis, that I think such a man would soon acquire the technical skill of a librarian.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Indiana.

Mr. MINTON. I notice that the qualifications of the gentleman whom Mr. MacLeish is nominated to succeed, were at the time of his appointment much like those of Mr. MacLeish. When he was made Librarian, Dr. Putnam had been graduated from Harvard, attended Columbia Law



School in 1883 and 1884, and was admitted to the bar in 1886. He practiced a little law, just as Mr. MacLeish did. Then he went out into another field, as librarian of an institution; came back to Boston and practiced law again, and then became librarian at Boston before coming to the Congressional Library. So his career was parallel to that of Mr. MacLeish, in the beginning, at least.

Mr. AUSTIN. The answer, if one is necessary, to the statement of the learned Senator from Indiana is that Dr. Putnam did have administrative ability and the ability to direct and develop the Library. What have we to show that this nominee possesses any such ability?

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. AUSTIN. I yield.

Mr. BARKLEY. It is true that Dr. Putnam had had some experience as a librarian in the local library in Boston or somewhere near Boston, in Massachusetts, but he went from the legal profession to that library post. Dr. Putnam practiced law for some 10 or 12 years and went from the legal profession to the smaller library referred to, of which he became librarian. So, if the reasoning of the American Library Association that Mr. MacLeish ought not to be made Librarian because he has not up to now been a librarian is to be followed, the same argument would have prevented Dr. Putnam's appointment to his original library position, because he was a lawyer up to that time and had had no library experience.

Mr. AUSTIN. Mr. President, if anybody wants to give weight to that argument, which goes back to a remote degree, I am perfectly willing he should do so. It cannot influence me very much. I cannot see the force of it.

Mr. WALSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Vermont yield to the Senator from Massachusetts?

Mr. AUSTIN. I yield.

Mr. WALSH. In connection with the reference to Dr. Putnam, one of my correspondents asserted that the Senate had rejected prior to the time of his nomination an appointment made by the then President—in fact, I think one or two nominations—on the ground that the nominee was not a trained librarian. I inquire of the Senator if he has any information to that effect?

Mr. BARKLEY. There was a rejection.

Mr. WALSH. I merely wanted to confirm what a correspondent pointed out to the effect that there was a precedent for rejecting a nomination because the nominee was not a professional librarian.

Mr. BARKLEY. My recollection is that it was not on that ground, because the Senate had previously confirmed other Librarians of Congress who had not been professional librarians. In one instance, as I recall, it confirmed the nomination of an ex-Member of Congress who was appointed by the President as the Librarian but was in no sense a trained librarian.

Mr. WALSH. In what year was Dr. Putnam appointed?

Mr. BARKLEY. He has been Librarian for 40 years, and was appointed in March 1899.

Mr. FRAZIER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. FRAZIER. I have a statement here that came with some other letters in regard to the opposition of the appointment of Mr. MacLeish, which goes into the record of the time of which the Senator from Massachusetts speaks. I want to present it when the Senator from Vermont shall have concluded.

Mr. AUSTIN. Mr. President, I should like to have inserted in the RECORD at this point in my remarks the entire letter from Dr. Wheeler, to which I have referred. I think it is worthy of consideration that he says on the point under discussion:

This unsound appointment will tend to disrupt the organization of a great institution. A librarian's duties are essentially directive and administrative. They include the selection and lead-

ership of a competent staff. They must be based on the vision and experience to see and weigh opportunities.

You suggest that Mr. MacLeish would be surrounded by librarians with technical training. The head of a library like the Congressional must have fundamental qualities to which training is only an addition. On the same count you might say that he is surrounded by scholars upon whom he could call for advice. The Library of Congress is distinguished, among other things, by Dr. Putnam's creation of "chairs" filled not by dilettantes but by scholars, each outstanding in his field. What would such a man as the late J. Franklin Jameson say to serving under a poet and speaker like Archibald MacLeish? Your bracketing of Mr. MacLeish and Sir Anthony Panizzi, because neither had any training or library experience, places the ability and accomplishment of the giant, Sir Anthony, in striking contrast to that of MacLeish. That, indeed, is the ground for complaint at the appointment.

The PRESIDING OFFICER. Without objection, the entire letter will be printed in the RECORD.

The entire letter is as follows:

[From the Baltimore Sun of June 16, 1939]

LETTERS TO THE EDITOR—MR. WHEELER, OF THE PRATT, ON MR. MACLEISH'S QUALIFICATIONS FOR LIBRARIAN OF CONGRESS

TO THE EDITOR OF THE SUN.

SIR: We were astonished at your editorial of June 7, mildly acquiescing in the President's appointment of Archibald MacLeish, poet, as Librarian of Congress, the greatest library in the world. It is well to have a librarian who is "a scholar and a gentleman," but to these assets should be added the administrative ability to direct and develop, as Dr. Putnam's successor, the immense collections and services of an institution that affects every public and college library user in the United States, especially thousands of research workers here and abroad.

This unsound appointment will tend to disrupt the organization of a great institution. A librarian's duties are essentially directive and administrative. They include the selection and leadership of a competent staff. They must be based on the vision and experience to see and weigh opportunities.

You suggest that Mr. MacLeish would be surrounded by librarians with technical training. The head of a library like the Congressional must have fundamental qualities to which training is only an addition. On the same count, you might say that he is surrounded by scholars upon whom he could call for advice. The Library of Congress is distinguished, among other things, by Dr. Putnam's creation of "chairs," filled not by dilettantes but by scholars, each outstanding in his field. What would such a man as the late J. Franklin Jameson say to serving under a poet and speaker like Archibald MacLeish? Your bracketing of Mr. MacLeish with Sir Anthony Panizzi, because neither had any training or library experience, places the ability and accomplishment of the giant, Sir Anthony, in striking contrast to that of MacLeish. That, indeed, is the ground for complaint at the appointment.

In Panizzi's day no one had special training and few any library experience. But we are now in an age of specialization, despite the President's recurrent delusion that almost anyone can undertake to do almost anything. The American Library Association, with due deliberation, recommended a far-visioned and successful educational statesman and leader who could continue Dr. Putnam's remarkable program and not permit it to deteriorate in the hands of an amateur. If the President demurred, he could consider other men who have the qualities of a scholar, administrator, and a gentleman, like the present librarian at Harvard University.

What we need at the Library of Congress is continued competent leadership. The first criticism I heard of the President's appointment, in terms of amazement, was not from a librarian but from a retired professor, a lifetime user of the Congressional. No librarian worthy of the name protests Mr. MacLeish's appointment just because he is not a trained librarian, or just because he is a poet. It is because he has not had the experience nor the opportunity to exhibit the qualities of an administrator. Is he to acquire these at the head of the greatest library at the expense of the taxpayer? Too many libraries and their constituents have suffered from similar ill-advised appointments. In one large city only 3 years ago the people arose in disgust and in a public campaign thousands went about the streets bearing the slogan "We want a trained librarian." After all, the public is paying for a competent service.

JOSEPH L. WHEELER,

Librarian, the Enoch Pratt Free Library.

BALTIMORE, June 14.

Mr. AUSTIN. Mr. President, I hurry on. Here is an editorial published in the New York Sun of June 10, 1939:

[From the New York Sun of June 10, 1939]

A REAL LIBRARIAN NEEDED

President Roosevelt probably did not realize what he was stirring up when he nominated Archibald MacLeish for Librarian of Congress. The outburst against this choice has been widespread and justified. Mr. MacLeish is a poet, perhaps with the qualifications which attach to his nebulous art. But a poet is not expected to know everything, certainly not to be able to grasp at once what is required in modern librarianship. It would be a shame to have

the Library of Congress fall into the wrong hands. It has been on the upgrade for 75 years, ever since Ainsworth R. Spofford, whose whole life was devoted to books and their collection, succeeded Dr. Stephenson as Librarian. Spofford was not a great technical expert. Compared with modern methods his work was rather sloppy. But he prevailed on Congress to buy books and to change the Library, which had been only a service for Members, into a national institution. The great building which was completed in 1897 and has served since as a home for the books which theretofore had been kept in an upper floor of the House of Representatives is Spofford's monument. Herbert Putnam, who succeeded him, had won repute as librarian of the Minneapolis and Boston public libraries, and he spent 40 years in scientifically assembling and adding to the riches which Spofford had begun to pile up.

To break a chain which has lasted since the Civil War in the lives of two men completely devoted to the National Library would be folly. The appointment of Mr. MacLeish is the eccentric favoring of a personal friend of Mr. Roosevelt. The Senate, for the sake of the Library, should reject the nomination. A real librarian is needed for the great collection.

It will be noted that in the editorial there is a reference which, if accurate, would tend to show that Herbert Putnam served also in the library in Minneapolis as well as in Boston before coming to the Library of Congress.

There is an editorial in the Baltimore Sun favoring the nomination to which I desire to refer and ask unanimous consent to have it all printed in the RECORD.

The PRESIDING OFFICER. Without objection, the editorial may be printed entire in the RECORD.

Mr. AUSTIN. The editorial refers to Mr. Wheeler's letter, and then it says:

Mr. Wheeler's protest would be more convincing had he not included in it this statement: "The head of a library like the Congressional must have fundamental qualities to which training is only an addition." For this very admission lies at the heart of the Sun's approbation of Mr. MacLeish. It lies also at the heart of this paper's long-continued admiration for Mr. Wheeler's work at the Enoch Pratt.

What is, after all, the secret of Mr. Wheeler's outstanding success? Is it his technical competence, the competence that comes with training? Only to a very small extent. The essence of Mr. Wheeler's contribution to the Baltimore library is that he brought curiosity, energy, and especially imagination to his job. It was his imagination which was stirred by the comparative passivity of the library as it existed before he came here. It was the thought that the people of Baltimore were not using the resources they possessed.

His great achievement has grown out of that thought.

And so forth. All of this editorial, I understand, will be inserted in the RECORD, by unanimous consent.

The PRESIDING OFFICER. It has been so ordered.

The editorial is as follows:

[From the Baltimore Sun of June 16, 1939]

#### ANOTHER POET

On this page today we print an emphatic letter from that useful citizen of Baltimore, Mr. Joseph L. Wheeler, librarian of the Enoch Pratt Free Library. Mr. Wheeler, like the president of the American Library Association and like, also, several other spokesmen for that association of professionals, protests against the nomination of Archibald MacLeish to be Librarian of the Library of Congress and against the assertion by the Sun that the appointment is a good one.

Mr. Wheeler's protest would be more convincing had he not included in this statement: "The head of a library like the Congressional must have fundamental qualities to which training is only an addition." For this very admission lies at the heart of the Sun's approbation of Mr. MacLeish. It lies also at the heart of this paper's long-continued admiration for Mr. Wheeler's work at the Enoch Pratt.

What is, after all, the secret of Mr. Wheeler's outstanding success? Is it his technical competence, the competence that comes with training? Only to a very small extent. The essence of Mr. Wheeler's contribution to the Baltimore library is that he brought curiosity, energy, and especially imagination to his job. It was his imagination which was stirred by the comparative passivity of the library as it existed before he came here. It was the thought that the people of Baltimore were not using the resources they possessed.

His great achievement has grown out of that thought. He went out to make Baltimore conscious of its library. This he did with great gusto. Then, next, he made them conscious of the library's shortcomings and stimulated them to demand better service. He had the wit to see in which directions growth might profitably be stimulated. He built up, for instance, the collection of works having to do with art and music. He persuaded the industrial interests in the town that their ends would be served by a more intensive use of the industrial sections. He brought the general

populace to take a greater interest in books other than fiction by instituting that long series of engaging window displays.

There was technical proficiency, of course, in this policy. But what animated it and made it work was the imagination which inspired it and the energy which drove it through. There are hundreds, perhaps thousands, of technically proficient librarians in the country. Only a handful of them are to be mentioned in the same breath with Mr. WHEELER.

The pride in his profession which doubtless stimulated Mr. WHEELER to write his letter of protest to this paper is a useful pride. But only personal modesty could have obscured his understanding of the significance of his own achievement and of the fact that he himself is a poet whose technical proficiency is a secondary consideration.

Mr. AUSTIN. The New York Herald Tribune published, on the 9th of June, an editorial which I ask to insert in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorial is as follows:

[From the New York Herald Tribune of June 9, 1939]

#### A SHOCKING NOMINATION

The more the President's nomination of Archibald MacLeish as Librarian of Congress is considered, the more deplorable it seems. There is no question of Mr. MacLeish's high talents as a poet or the excellent quality of his mind. Nor are his left-wing predilections in politics and economics in any wise pertinent, in our view.

What does matter is his complete lack of training for any library post. Here is an important and valuable profession and a field—incidentally, in which this country leads the world. For two generations it has had its regular training schools, with steadily rising standards. Its outstanding leaders combine with this technical training years of varied experience, the result constituting an equipment comparable with the fusion of learning and practice possessed by the members of any other profession—by a doctor or an engineer, for example, who has ripened in his career.

It seems to be the President's easy notion that Mr. MacLeish can hire these skilled and learned technicians to do his job for him. Such a suggestion seems to us as unsound as it is unfair. To call such a conception shocking seems to us a calm and accurate statement. The outrage hits not only the leaders of the library profession who might have aspired to this post of unique responsibility and opportunity but as well the whole rank and file of library workers who are giving their lives to a precious public service. The affront is disheartening and dismaying.

The attitude of the American Library Association has been scrupulously correct, in our judgment. For a year it has sought to help and advise the President in his search for a successor to Dr. Putnam. Rebuffed at every turn, it in the end sees its requests ignored and its advice flouted. We are at a complete loss to understand either how President Roosevelt could bring himself to make a purely personal appointment to a post of such high distinction and special learning, or how Mr. MacLeish could bring himself to accept a nomination for which he is so completely unequipped.

Mr. AUSTIN. I call attention to the following in the editorial:

What does matter is his complete lack of training for any library post. Here is an important and valuable profession and a field, incidentally, in which this country leads the world. For two generations it has had its regular training schools, with steadily rising standards. Its outstanding leaders combine with this technical training, years of varied experience, the result constituting an equipment comparable with the fusion of learning and practice possessed by the members of any other profession—by a doctor or an engineer, for example, who has ripened in his career.

Mr. President, I would not consciously or voluntarily omit some contributions from the pen of L. W. Buxton, editor of the Boston Herald, who is a native of Vermont, who probably can name more of the mountain peaks of the Green Mountains than can any other living person, and whose editorials I highly respect even when I disagree with them, as I do in this case. I ask unanimous consent to have inserted in the RECORD at this point two editorials from the Boston Herald—one of Thursday, June 8, and one of Saturday, June 10.

The PRESIDING OFFICER. Without objection, it is so ordered.

The editorials are as follows:

[From the Boston Herald]

#### LIBRARIAN MACLEISH

The enthusiasm in Washington when the President named Archibald MacLeish as Librarian of Congress, to succeed Herbert Putnam, will be duplicated here, in New York, and wherever Mr. MacLeish is known. It was said of Herbert Hoover that he selected the ideal man when he named Justice Cardozo to the Supreme Court, and almost as much may be said of the honoring of Mr. MacLeish.



He was first man in his class at the Harvard Law School, and declined an appointment to the faculty. He was one of the most promising young lawyers in Boston when he left one of the leading law firms to give all his time to literature. As an editor of *Fortune*, a Pulitzer prize winner in poetry, a writer of excellent prose, a man of affairs, an administrator, and, as the President characterized him, "a gentleman and a scholar," he deserves immediate, unanimous, hearty confirmation.

The President will be criticized, perhaps, for his failure to pick a trained librarian. The obvious reply is that far more than technical ability is requisite for the supervision of one of the great libraries of the world. A skilled orthodox librarian could have been found easily enough, but none with the qualifications of Mr. Putnam. The purely professional features of the position can be learned easily by a man of Mr. MacLeish's endowments and experience.

A pleasing personality and a marked aptitude in speech, public and private, should be of great assistance to him in his relations with Members of Congress. The entirely nonpolitical nature of the appointment makes it all the more pleasing.

[From the Boston Herald]

#### OPPOSITION TO MACLEISH

Neither the organized nor the unorganized opposition to the nomination of Archibald MacLeish as Librarian of Congress seems to have a substantial foundation. The president of the American Library Association, who has sent out telegrams to various associates urging protests to Senators, is presumably disturbed because Mr. MacLeish lacks specialized training as a librarian. That is an understandable attitude. It indicates, however, a narrowness which does not reflect any great credit on the A. L. A.

There is far more to the task of a Librarian of Congress than the carrying out of technical assignments. Congressmen, 531 of them, must be served and appeased. Political pressure must be resisted constantly. Skill in administration, close contact with men of affairs and cooperation from a score of sources, literary and nonliterary, are essential if the high standards of Herbert Putnam are to be maintained. The nonprofessional tasks are perhaps more important than the professional; and we doubt that any schooled librarian could perform them nearly as well as Mr. MacLeish.

Indeed, the noncareer librarians have perhaps made more enduring contributions to library administration and upbuilding than the career men—and the story is the same in American diplomacy. The list of such librarians is most impressive.

The great Justin Winsor lacked technical acquirements. Archibald Carey Coolidge, who did so much to make the Widener Library at Harvard what it is, was not a professional librarian. The new head of the Yale University library, Bernard Knollenberg, has not pursued librarianship as a life career. President McKinley's appointee, John Russell Young, who made great improvements in the Library of Congress, was also lacking in knowledge of the Dewey decimal system and some other subjects taught to students of library schools. The Army Medical Library, unrivaled in the world as a medical library, was the creation of a surgeon named John S. Billings. The greatest law library in the world, the Harvard law library, has never had a professional librarian at its head, and was created by professors.

Herbert Putnam himself was primarily a lawyer. He began his notable career at the Boston Public Library and continued it at Washington after he had interrupted his western library activities by a bar career of a few years. Edmund Gosse, librarian of the House of Lords, and Sir Frederick Kenyon, of the British Museum, a famous repository of books, would fail, with those famous Americans, in the narrow test which apparently the head of the American Library Association would apply.

The MacLeish choice seems to us not only good but brilliant. There is probably not a trained librarian in the United States who has his manifold qualifications for a distinguished career as head of the great institution. Men and women entirely familiar with the more or less mechanical aspects of library administration are to be had by the score. Many of them are on the staff of Mr. Putnam and will be available for his successor.

Mr. AUSTIN. In one of these editorials this point made by the Senator from Idaho is referred to, namely:

The President will be criticized, perhaps, for his failure to pick a trained librarian. The obvious reply is that far more than technical ability is requisite for the supervision of one of the great libraries of the world. A skilled orthodox librarian could have been found easily enough, but none with the qualifications of Mr. Putnam. The purely professional features of the position can be learned easily by a man of Mr. MacLeish's endowments and experience.

A pleasing personality and a marked aptitude in speech, public and private, should be of great assistance to him in his relations with Members of Congress. The entirely nonpolitical nature of the appointment makes it all the more pleasing.

I think I shall not take the time of the Senate to read from the other editorial, entitled "Opposition to MacLeish," which will be inserted in the *Record* by unanimous consent already obtained.

The PRESIDING OFFICER. It has been so ordered.

Mr. AUSTIN. Mr. President, I have received from librarians in many parts of the United States, and particularly from many libraries in my own State of Vermont, protests which I think do have the color of being limited to that one point—that confirmation should be denied this appointment because it has the effect of discouraging the sturdy development in the United States of a profession in which special skill is aimed at, in which certain ideals are sought with reference to the management of great collections of literature, not only their preservation but facilitating access to them by the people; collections so administered and managed that they will contribute to the welfare of a great community, organized and directed by a man having the character and the directive ability requisite to keep going all of the different activities which are centered within the walls of a great library, such as the Library of Congress, and have them going in such a way that they will be readily accessible to anyone who may seek its facilities. If I am engaged in a lawsuit before the Supreme Court of the United States to determine the boundary line between two of the States of the Union, I want to be able to have access promptly, easily, without red tape, without obstruction to ancient maps and documents, the old records of the Federal Government, and the collection of records of the various States. I may even want to have access to records relating to the mother country in order to be able to serve the people of my own State far away.

We want for Librarian a man who is able to organize and to keep in operation an institution which of itself is an institution of learning. It is the schoolhouse of the whole continent. The Library of Congress is the Mecca of persons who come here not merely to acquire formal culture but to obtain information for practical use. They may desire it for so humble a use as raising potatoes, or they may come here to secure information for designing some new and useful improvement of great service and utility.

Therefore, so far as I am concerned, I want it understood that I would encourage the development of the profession of librarian, and I would not discourage it by going outside of the family of librarians—which is a very large family—to make a selection for one of the choicest and most important posts within our reach. I think of us as parties to the transaction. We have an interest in this nomination, not solely because under the Constitution and under the statutes we are required to advise and consent to this nomination but we are interested because this is particularly, primarily, and foremost the Library of the Congress. This is our Library, and we want it led by a man who will make it of the greatest utility to us as servants of all the people of the country. But, as I have said, giving due weight to the complaint made by librarians all over the United States, and particularly from my own home State; giving due weight to their claim that the nomination fails to recognize the efforts of a half century of development of a profession and that it is a discouragement to those who have sought to elevate this profession and to place it in a position of greater service to the country, far beyond that is my contention that in this particular case there is no evidence whatever which tends to show that this brilliant littérateur and poet has any qualifications at all for an executive, for an administrator, or for a librarian.

Mr. TOBEY. Mr. President, I rise to speak in favor of the confirmation of the nomination of Archibald MacLeish to be the Librarian of Congress.

I am a member of the Senate Committee on the Library. Like my fellow Senators, I have received many communications from librarians and trustees of libraries in my State of New Hampshire. Each of these communications came to me requesting or demanding that I refuse to sanction this confirmation. The sole reason given was that to which I referred a few minutes ago in interrupting the Senator from Vermont, when I quoted the first speaker of two who came before the Senate Committee on the Library as representatives of the Library Association of America, and who said in answer to my question that "the only possible objection we have against Mr. MacLeish is the fact that

he has had no technical library training." Opinion is unanimous on that score, and solely on that score, from those whose communications have come to me in opposition to this appointment.

I attended the hearings before the committee. It is not my privilege to have talked to Mr. MacLeish. I have read his writings. I have gone into the matter very thoroughly. I have tried to put myself in the position of a jurymen, to listen to all the evidence and then to act wisely, refusing to take any position in answer to correspondence until today. I now say, sir, that I consider it both a duty and a privilege not only to vote for the nominee's confirmation, but to speak for him on the floor of this honorable body.

I have a reason for the faith that is within me; and I shall buttress my argument by evidence, by testimony of men far better qualified to speak than I.

If the Senate will bear with me, I shall read into the RECORD some of these gentlemen's names and communications.

The first is a gentleman whose name is known throughout the business world of this country as successful, not only as businessman but as a philanthropist, one of the great American citizens of our day. I refer to Louis Kirstein, of the firm of William Filene's Sons Co. Louis Kirstein has been not only one of the most successful businessmen of our country, but is a philanthropist; a man who loves libraries and library work, and sees beyond the circumstances and surroundings of the present the fact that the people of this country should have the privileges he did not enjoy as a boy. To that end he gave a great library to the people of Boston, and equipped it "lock, stock, and barrel," filling it with books by the greatest masters in the world. He writes me as follows:

With respect to Archibald MacLeish, I want to repeat I am confident that the charge he is a Communist is just silly.

As to his not being an experienced librarian would say, it seems to me, from the experience I have had, that the position of head of the Congressional Library, which is probably one of the very greatest libraries in the world, requires something more than a librarian with only a technical knowledge. It seems to me it needs an administrator and executive of high ability, which Mr. MacLeish certainly is. My own opinion is that Mr. Putnam has done a wonderful job in gathering this marvelous collection at the Library, but I think now that it is important that this be generally known and much more use made of it than is being made by people who make frequent use of the Library. I am reliably informed that, in addition to serving Congress and the Government, its use is confined pretty much to advance scholars. It has so much that millions of people are interested in that I want to repeat that I believe it requires someone who has vision and imagination coupled with the necessary energy and viewpoint to apply it.

I am sorry to bother you with so long a communication, but I am convinced that Mr. MacLeish is the outstanding man for this position.

I now read a letter from the assistant librarian of Dartmouth College, Alexander Laing, in which he says to me:

The position of Librarian of Congress calls for the broadest and most humane philosophical interpretation of all the rights of all the public to the use of knowledge as it is accumulated in books. The most excellent technical administrator may be less than competent in our current world, which has witnessed burnings of books at the doors of some of the world's greatest libraries. I believe, therefore, that the new Librarian of Congress should be a man capable of social and political action, to safeguard at every point the right of the American people and of their representatives to free access to all knowledge on all subjects. I am not competent to say whether Mr. MacLeish is an ideal choice from that point of view, but he certainly is a better choice than any professional librarian I know of whose age might make him a logical competitor.

Sincerely yours,

ALEXANDER LAING.

I also wish to read a letter from a distinguished citizen of my State of New Hampshire, a member of the State senate, former professor at Harvard, in which he says, under date of June 20:

MY DEAR SENATOR TOBEY: I have received from the New Hampshire Library Association a request that I write you in opposition to the confirming of Archibald MacLeish as Librarian of the Library of Congress.

In this case I wish personally to urge you to take action exactly opposite to that requested by the Library Association. You will no doubt receive scores of letters opposing the appointment, as a

result of the campaign by the association. I have no doubt that you will know how to discount the numerical importance of letters which result from such a campaign, and that you will realize that those who are on the other side are not organized and not making any concerted drive, but that they may be fully as numerous, although you may not hear from as many of them.

I am strongly of the opinion that this is an excellent appointment. There are plenty of trained librarians who can be hired to do all the varied kinds of technical work which the Library requires. No doubt the Library is already provided with a staff of such trained personnel which could be added to as needed. What is needed at the head of an institution such as the Library of Congress is a man of broad vision who will consider and initiate policies which are not matters of technical librarianship and which can be carried out by the technical people under him. I fully believe that Mr. MacLeish is such a man.

I wish now to read the testimony of the director of the library of the great University of Chicago. I think this is a classic. It speaks volumes. He says:

*To the Senate Committee on the Library:*

The President has nominated Archibald MacLeish for the Librarianship of Congress. Protest is lodged on the score of communistic leanings and by two officials of the American Library Association on the score of professional unfitness. Neither charge will stand examination.

Chicago has known the Scotch MacLeishs long and favorably. The father of the nominee, Andrew MacLeish, was a successful merchant and wise philanthropist. The mother, former president of Rockford College, is still a beloved figure of amazing energy. There is certainly no communism in the forebears, and there is equally none in the son. You will search in vain for one syllable in his writings or activities to support such an indictment. To be sure he is not content with things as they are. The human wreckage about us deeply moves him. To this he gives powerful expression, but, as he has written, he remains convinced "that democracy can be saved and that the American way is the best way out."

I, CHARLES TOBEY, of New Hampshire, join in that statement. Archibald MacLeish, as I interpret him, is a man after my heart. He realizes down deep in his consciousness what constitute the great objectives of this country; not the victories of government; something more than business success or a system of business economics. What are they, in the last analysis? MacLeish sees, with me, that they are men, women, and children, 120,000,000 people of this country, those whom he is serving in his life work, and those whom he will serve as Librarian of Congress. I say to this man's critics, to the library associations of the country, if that be treason, make the most of it. This letter continues:

The other charge is more serious. The president and the secretary of the American Library Association, without awaiting action by the council, which alone has the constitutional power of formulating the association's policy, have launched a holy war against confirmation and bulletined all executives to swell the protest. MacLeish, they say, is not trained for the position.

They are right in asserting the necessity of training. The question is, What training is best?

Well, in the first place, this is the Library of the Nation's law-making body and MacLeish is a lawyer, as was the present incumbent. It is a little more important that the Librarian know the inside of books he is dispensing than the outside. The chemists of a laboratory will be better served by a fellow chemist in the library than by a mere business manager or housekeeper. MacLeish knows his law. Justice Frankfurter could tell you something about MacLeish, as Justice Holmes could have done before him, for in his graduating class 20 years ago at the Harvard Law School he was ranked highest for "scholarship, conduct, and character."

He has been a notably successful practitioner, but, more important still, his study has sunk deeper than the memorizing of decisions. To him law is a social science and its business is justice. In all liberating legislation Congress would find MacLeish an understanding servant.

But the Library of Congress is far more than a law library. It has become the National Library. MacLeish is equally at home in the arts. No one will deny his rank as one of the four leading American poets now alive, and, what is more, he has made it pay without sacrificing his art a whit. He is at home in the literature of his time, whether at home or abroad, for he has resided in France and spent considerable time in South America. He knows what is going on and is a vigorous part of it.

No; Archibald MacLeish will adorn the place, and it is safe to say that Congress will have reason to read his official reports with avidity. Certain it is that his staff will love him dearly and swear by him because he is all loyalty and valor—a shining figure for all his modesty.

The two critics talk of the big staff at the Library of Congress and MacLeish's unfitness for such association. Let's examine that a moment. The last printed report of the Librarian of Congress shows 3 administrative officers and 34 heads of divisions and chief assistants. Of these 37 persons who run the National Library, just 3



went through a library school and 19 are not even members of the American Library Association. The present incumbent of the office seems to operate on a different theory from that of the two critics. People are appointed for their knowledge, and so it would appear that MacLeish would not be so lonesome in Washington after all.

This is not a condemnation of library schools. They are highly useful up to a certain level. Thereafter come university training or its equivalent—experience and horse sense. Thus, when asked to advise the trustees of the Enoch Pratt Free Library, Baltimore's public library, I gave them the names of three college men with library-school degrees. When, however, advising the president of the Johns Hopkins University in the same city, I gave the name of a faculty member. Both counsels were accepted and the outcome has in each case been most happy. Again I chose a professor for the associate director of the University of Chicago libraries, and got roundly denounced by the schoolmen. Yet this year they nominate him for the second vice president of the American Library Association. I am equally sure of my counsel to this committee.

The twin critics are nervous, too, about his management of money. MacLeish the Scotsman! They are wasting their worries. He has managed his own affairs magnificently, proved a capital editor, and a highly competent curator at Harvard. No organization that has ever had his services has willingly parted with them.

This is not the old abuse to which the two critics refer—favoritism or pension. No political debt is being paid or sinecure found for a spent preacher or teacher. Here is a man in the peak of his power thoroughly at home in a great library, clear-headed and brilliant. The fact is that MacLeish will have come to his place after severer training than his two critics have ever known.

Earlier in the year they lectured Yale University for choosing a scholar as librarian. They now repeat the lecture to the President of the United States. Both can stand it.

MacLeish did not seek the place. He was besought. Can his two critics say as much? Not if the persistent rumor of years mean anything.

The Senate will do itself honor by voting for confirmation with unanimity. The prestige of the Library of Congress will be safe in the hands of Archibald MacLeish.

Mr. President, I digress here to bring up a subject to which I do not like to make reference, but certain matter has been sent around to the Members of the Senate charging that the man MacLeish is a Communist, or on the edges of the Communist circle, or playing with Communists. If it is in order, so long as we are talking about Communists, and in view of statements made on the floor of the Senate yesterday, in passing, though not in connection with this nominee, I wish to read a definition of communism, a definition given us many years ago by a great Democrat, a great American, Grover Cleveland. This is his definition of communism. Keep it in your hearts, if you have it in your hearts lightly to condemn any man because of such charges. This is how Grover Cleveland defined communism:

Communism is a hateful thing, and a menace to peace and organized government. But the communism of combined wealth and capital, the outgrowth of overweening cupidity and selfishness, which insidiously undermines the justice and integrity of free institutions is not less dangerous than the communism of oppressed poverty and toil which, exasperated by injustice and discontent, attacks with wild disorder the citadel of rule.

Mr. President, let us now return to the charge of communism made against this man. It is charged that Mr. MacLeish some time ago wrote an article which contains the statement that the time has come for poets in America to sing of revolution.

Mr. President, I do not take exception to that statement. Let us have poets who sing of revolution. We are in a state of evolution and revolution all the time, and have been all down through the ages. I hold in my hand that great document which still finds expression in the hearts of all true Americans, the Declaration of Independence, and in the preamble we find language such as poets may use when they sing of revolution. Thomas Jefferson and other great patriotic Americans had a hand in writing it. Here is what Jefferson and his collaborators said about revolution:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever a form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government.

Mr. President, some may perhaps call that language revolutionary, but that is the language used by Thomas Jefferson, and that is Americanism. That language sets forth the acid

test of democracy's ability to govern itself, which is the test of democracy's permanence.

Now again about communism. Mr. MacLeish signed with others an invitation a few months ago inviting people to an American Writers' Congress in the city of New York. He wrote an article which the magazine, *The New Masses*, a Communist paper, published. To me that article shows forth the man. He is defending the sending of ambulances to aid the loyalists in Spain. He is defending the statement he made with respect to those engaged in the war in Spain. He said:

The word "liberal" is still a word to use with pride. Issues of freedom and truth are more important to the liberal mind than being seen in the right company.

He further said in the same article:

The further truth is that the man who refuses to defend his convictions for fear he may defend them in the wrong company has no convictions.

Mr. President, this man is a straight-shooter, if I know one. He rings true. He is the kind of man I want to see placed in authority, a man fit to occupy the position as Librarian of Congress.

Mr. President, we talk about technical training, but we find situations in Government and in private business which are somewhat on all fours with the one before us. In the appointment of the Secretary of the Navy we did not take a commander from a gunboat or a battleship. We took a man named Swanson and made him Secretary of the Navy.

When we put in Harry Woodring as Secretary of War we did not choose him because he was a military expert, an expert in gunnery or in aircraft defense. He was not chosen because he had a special knowledge of the job he was picked to occupy. He was placed in charge of the War Department because he had character and ability requisite in a Cabinet member.

When the President makes a choice of a member of the Interstate Commerce Commission he does not try to find a man who has had long experience in railroad operation, a technical engineer. He chooses a man who has ability and who will faithfully perform his duties of regulating the railroads of the country pro bono publico.

When the General Electric Co. wanted a head for that great industrial organization it did not pick a technical engineer who had special knowledge of turbines and electrical apparatus. It picked Owen D. Young, a man with no engineering training, but a man of outstanding ability as a lawyer and of great personal charm and high character.

So I could go right down the line, Mr. President, and cite any number of cases of similar character.

In conclusion I submit that we should place the emphasis upon research and scholarship rather than on technical training as a librarian.

In my judgment, after an honest, careful looking into the matter, and a survey of all the evidence, I am convinced that Archibald MacLeish is well qualified for the office, and I make bold to say that the Senate will honor itself today if it will confirm his nomination to be Librarian of Congress.

Mr. BARKLEY. Mr. President, I do not think it necessary that anything further be added to this discussion, but as chairman of the Committee on the Library I have in some sense been the victim of this opposition or borne the brunt of it in the sense that I have probably received more letters from people in the United States about it than anyone else here, simply because I happened to be the chairman of the committee.

Mr. President, I wish to say just a few words that might be regarded as personal to Mr. MacLeish. I never knew him until he came down here at the invitation of the committee in order that the committee might look him over and examine him, size him up, and decide for itself whether he fitted into the position of Librarian of Congress.

I think it is true that without exception Mr. MacLeish made a very favorable impression on all the members of the committee, without regard to their politics. I will say that in the performance of the duties of the members of the

Committee on the Library, there has never been any political division. I do not recall at any meeting of that committee since I have been a member of it, or chairman of it, when partisanship entered into it, or when any vote was based upon whether a man was a Democrat or a Republican.

Mr. MacLeish is 47 years of age. He was born in Illinois, and his family, evidently, were well-known and highly respected people in and around Chicago. He went to Yale University, graduating with high honors. Then he went to the Harvard Law School, and graduated at the head of his class. Soon after we entered the World War, Mr. MacLeish, although he was married and had a baby 1 month of age, enlisted in the Ambulance Corps. I think he refers to himself rather facetiously when he says in his own autobiography, or the article which he wrote for this book, that he joined the Ambulance Corps in order not to get hurt. He was really comparing himself with his brother, who joined the Air Corps, and who was killed in combat on the front either in Belgium or France during that war.

Mr. MacLeish voluntarily had himself transferred from the Ambulance Corps to the Field Artillery in France, and as a member of the Field Artillery he was engaged on the front during June and July 1918, and rose to the rank of captain of the company of Field Artillery.

He came back and went on a farm in Connecticut. He began to write. He wrote for magazines, such as the *New Republic* and the *Nation*. I think it is to be assumed—and I have always so understood—that anyone who would be invited to contribute as an editor to the *New Republic* and the *Nation* would of necessity be a man of liberal inclinations and proclivities.

I have for a long time been a reader of those two magazines, and I like to read them because whether I agree with them or not, they certainly stimulate thought. They are original in some respects in that regard, and occupy a field that is not full by any means.

Mr. MacLeish desired to be a writer. After graduating at the head of his class in the Harvard Law School he practiced law in Boston for 3 or 4 years as a member of the firm of which Mr. Charles Choate is a member. The information I have received was that he was a successful trial lawyer; that he separated himself from that firm voluntarily in order that he might write, that he might devote himself to literature, which he evidently preferred to the law. But the information that has come to me reliably is that that firm would accept him back now as a member of it if he were available. That shows that he was not only an able lawyer but a successful trial lawyer. Of course, that experience, as we all know, gives a man a broad background. It brings him in close touch with human nature and human problems.

Mr. MacLeish became a contributing editor or associate editor of *Fortune* magazine, and he wrote some very able and brilliant articles as contributing or associate editor of *Fortune*. As has been demonstrated here today, his articles in the *Survey Graphic*, both for May and February, which have been referred to, show that he is a man of exceptional ability in the facility of expressing ideas. He has a facile pen. He has a sort of originality and freshness of expression of his ideas.

There has been an effort to make light of Mr. MacLeish because he is a poet, but he is much more than a poet. James Russell Lowell was a poet, but he was not such a poet as disqualified him to be Ambassador, as I recall, of the United States to the Court of St. James. One of the most brilliant men who ever sat in the Senate was a man from the State of Kansas, John J. Ingalls, and I believe one of the greatest poems in the English language is the poem of John J. Ingalls entitled "Opportunity." I do not subscribe altogether to the philosophy of that poem, but it is a great poem and will live in the English language.

So, Mr. President, from the standpoint of character, background, experience, scholarship, vision, and understanding of our great problems in this complex, modern day in which we live, I believe Mr. MacLeish possesses all the qualifications that are needed for Librarian of Congress.

Mr. President, I have received from members of the American Library Association perhaps a thousand letters and telegrams protesting against this nomination. Not one of them attacks the character, or even the views of Mr. MacLeish on political, social, or economic problems. Not one of them attacks his eminent scholarship. As the Senator from New Hampshire stated a while ago, when a former president of the American Library Association, together with one of the executive committee who happens to be the librarian of the free public library in the city of Louisville, in my State, came here to protest against this nomination before the Committee on the Library, before any member of the committee had asked either of them a question they volunteered the statement that they did not wish to be understood as attacking or impugning or in any way reflecting upon the character, ability, or scholarship of Mr. MacLeish, but that they opposed him solely on the ground that he had not been a trained librarian. All the letters and telegrams which I, as chairman of the committee, have received in opposition to Mr. MacLeish are based upon the fact that he is not one of them, in the sense that he is not a trained librarian.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield.

Mr. AUSTIN. Did the Senator receive from my colleague in the House of Representatives, the Honorable CHARLES A. PLUMLEY, a letter dated June 20 relating to this appointment?

Mr. BARKLEY. I have not seen such a letter. It may be at my office. The Senator knows how busy we have all been. I did not have an opportunity to read all my mail. I have not seen the letter.

Mr. AUSTIN. The reason I interrupt at this time is that if the Senator is willing to have it done I should like to have the letter inserted in the *RECORD* following his remarks.

Mr. BARKLEY. I have no objection.

The PRESIDING OFFICER. Without objection, the request of the Senator from Vermont is granted, and the letter will be inserted in the *RECORD* at the conclusion of the remarks of the Senator from Kentucky [Mr. BARKLEY].

(See exhibit A.)

Mr. BARKLEY. I can very well understand the attitude of the American Library Association, because they desired a member of their organization to be appointed Librarian of Congress. They presented to the President the name of the secretary of the American Library Association, who is not now a librarian, and who for many years has been the secretary of the American Library Association. According to the testimony of the two members of that association who came before the committee, he has been a trained librarian, but for a number of years has occupied the position of secretary of the American Library Association.

Mr. President, I think that the American Library Association was and is justified in promoting its organization; and in the case of the librarian in the ordinary technical library in the ordinary city serving a limited clientele, in many cases with two or three or half a dozen assistants, being able to decide what new books ought to go to the library, how they ought to be cataloged and scheduled, in order to give information to those who inquire about books, I can very well understand the advantages of some training in the profession of librarian. I can very well understand the feeling of disappointment, if not of resentment, among the members of that organization when the President went outside their number to select the Librarian of the greatest library in the United States, the Library of Congress.

I would not intimate, because I do not think, that their disappointment or resentment was intensified in any degree because they did not succeed in persuading the President that he ought to appoint their secretary as Librarian of the Library of Congress. As I stated the other day, I myself had a candidate for Librarian of Congress. He is a member of the American Library Association. He is a distinguished scholar. He has had many years' experience as a librarian. He knows



books and he knows how to run a library. The President did not see fit to appoint him; and I suppose by the same token I ought to oppose this nomination because my candidate was not successful.

Inasmuch as I do not take that narrow viewpoint, I shall not attribute to the American Library Association any such narrow viewpoint in the intensity of their opposition to this nomination. I place their opposition on the ground on which I think they place it, purely as a professional matter, in that Mr. MacLeish is not qualified, in their judgment, to be Librarian of Congress, because he is not a technical librarian.

Mr. President, all the letters I have received, even from members of the American Library Association, have not been in opposition to this nomination. In that connection I have before me a communication from Mr. Milton James Ferguson, president of the American Library Association, at present librarian at the Brooklyn Public Library in Brooklyn, N. Y., with which he submits to me and to the committee and the Senate a memorandum in opposition to the nomination. The memorandum is along the line of that read by the Senator from Vermont [Mr. Austin], and I shall not take the time to read it. However, in justice to this organization I ask that the memorandum be included as a part of my remarks and inserted in the RECORD at this point.

The PRESIDING OFFICER. Without objection, the memorandum will be placed in the RECORD at this point.

The memorandum is as follows:

#### THE LIBRARIAN OF CONGRESS

The American Library Association urges the Senate not to confirm the appointment of Archibald MacLeish as Librarian of Congress, because he lacks the essential qualifications of a librarian.

His ability and distinction as a man of letters are unquestioned. (We are not concerned with his politics.) But librarianship is not a literary pursuit. Writing is not of itself a suitable preparation for it.

Librarians, library trustees, and other citizen groups have worked for almost three-quarters of a century for the extension and improvement of libraries, with such success that the United States holds undisputed world leadership in library service. A primary reason for that success has been the emphasis on trained and experienced library administrators.

A hundred years ago every important library post was filled by somebody's political or personal choice. Now nearly all are filled by men and women who have prepared themselves for that vocation. The appointment of a nonprofessional as head of the Library of Congress would endanger the merit system of appointment to all library positions, carefully built up during three generations.

Mr. MacLeish could not qualify for the librarianship of any college or public library in America which attempts to maintain professional standards—as most do. He most certainly is not qualified to be the librarian of the largest and most important library in the world.

The administration of the Library of Congress is not a simple task which can be learned quickly. It is complex and highly professional.

It involves personnel administration. The Librarian is solely responsible for selection, appointment, training on the job, promotion, and discharge. The staff numbers 850 people. Many appointments are made each year.

It involves financial administration of yearly expenditures of \$3,000,000.

It involves general library administration in all its aspects. The Library of Congress is the head and center of the library system of America. Its first duty is to the Congress and other officers of the Government. But its varied services are also indispensable to scholars, special investigators, writers, the blind, universities, and all other libraries in every State and Territory.

These services do not organize and run themselves. They must be continuously adjusted to educational and social changes. They are best operated, improved, and extended under the direction of a man who understands how and why they are performed. They would almost certainly deteriorate under amateur leadership. Those who use the Library would suffer.

The appointment of a man as a figurehead would do no honor to the appointee. It would, however, be a denial of the value of professional training and experience.

If any Senator thinks that the American Library Association may not fully represent all library opinion, he is respectfully urged to solicit the opinions of librarians and members of library boards in his own State.

The Congress and the people are proud of the Library of Congress. They should have as Librarian of that institution one who is not only a gentleman and a scholar but who is also the ablest library administrator available.

JUNE 12, 1939.

Mr. BARKLEY. I wish to say that I do not agree with the position taken by the American Library Association. A perusal of the memorandum will show that their sole position is based upon his lack of experience as a trained librarian.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. The memorandum from Mr. Ferguson to which the Senator refers suggests that if any Senator wishes to explore the subject further he should consult the librarian in his own city. I thought that was a good idea. The librarian in my home city, Grand Rapids, Mich., happens to be a peculiarly able person, one who also is particularly detached professionally. He has no relations whatever with politics or anything of the nature. I should say he is one of the great librarians of the Nation. So I telegraphed him and asked him what he would do if he were confronted with the MacLeish nomination. If the Senator will permit me I should like to read a few sentences from his reply.

Mr. BARKLEY. I shall be glad to have the Senator do so.

Mr. VANDENBERG. The letter is from Mr. Samuel H. Ranck, librarian at Grand Rapids. He says:

With my present knowledge, therefore, I cannot agree with the position taken by Mr. Ferguson. I think the Senate should carefully examine Mr. MacLeish's abilities for leadership and general administration.

Then Mr. Ranck expresses his own professional disappointment that the selection was not that of a trained professional librarian, but he adds:

I could cite a considerable number of instances where men of scholarly interests or pursuits became librarians and made most valuable contributions to the library profession. The whole thing depends on the character of the man and his outlook on life.

He refuses, then, to commit himself, but the entire tenor of his letter, if I have any right to interpret it, is that he would not be satisfied to dismiss Mr. MacLeish solely because he lacks the credentials of a professional librarian. On the contrary, I should say that, although he would prefer someone else, he declines to join in the protests against him.

Mr. BARKLEY. I appreciate the Senator's interrupting me for that purpose, and I congratulate the librarian to whom he telegraphed for his frankness and candor under the circumstances.

Mr. President, in order to be entirely fair to the American Library Association, I ask also to have printed in the RECORD at this point a telegram sent from San Francisco where the American Library Association was in session on June 20, addressed to H. M. Lydenberg and H. F. Brigham, who appeared before the Library Committee on this nomination; and also a statement issued by Mr. Harold F. Brigham, of Louisville, the head of the Free Public Library there, along the same line.

There being no objection, the telegram and statement were ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF., June 20, 1939.

H. M. LYDENBERG,

H. F. BRIGHAM:

The June 12 printed statement, also sent under date of June 11, with personal letter to members of Senate Library Committee, now has formal approval of executive board by unanimous vote, and of council with vote of 56 for to 4 against, and of association in general session with estimated vote of about 2,000 for and possibly as many as 200 against. From sentiments here expressed we believe that fully 90 percent of all members of the library profession think that confirmation would be most unfortunate. They are concerned with the probable detrimental effect on the service of the Library of Congress to its readers. They are even more concerned with its inevitable effect on all other libraries because of the implication that special training and experience are not necessary for successful administration of libraries large and small. It is evident here that confirmation would have a most disastrous effect on the morale of the younger members of the profession who feel that it is futile to prepare for librarianship if special training and experience are to be disregarded in filling the most important library posts. Petitions protesting confirmation were signed by 1,425 members on this first day of conference. Signers are from

all States, District of Columbia, and Hawaii, except Delaware, Maine, Nevada, both Dakotas, Vermont, and West Virginia. If it were not for the presence here of many library leaders the committee room would be crowded with protesting librarians.

Charles H. Compton, St. Louis; Forrest Spaulding, Des Moines; Carl Vitz, Minneapolis; Joseph L. Wheeler, Baltimore; Ralph Munn, Pittsburgh; Althea Warren, Los Angeles; Judson T. Jennings, Seattle; Harriet Long, Salem, Oreg.; A. F. Kuhlman, Nashville; Milton J. Ferguson, Brooklyn.

**LIBRARY OF CONGRESS APPOINTMENT—STATEMENT BY HAROLD F. BRIGHAM, LOUISVILLE, REPRESENTATIVE OF AMERICAN LIBRARY ASSOCIATION**

The agitation against confirmation of Archibald MacLeish is in no way directed against the President's nominee personally, nor does it imply disrespect for the President. It is undertaken solely in the best interests of our National Library and of library service generally as this is affected and influenced by our National Library. It assumes that the President has been ill-advised in selecting his nominee.

The appointment of a nonlibrarian to the Nation's foremost library position is held to be without justification for four essential reasons:

(1) Administration of a great library demands a person qualified by library experience and special knowledge of library service and practices to manage and direct such a library. An amateur would still be an amateur even after years of groping in an effort to learn the job by experience alone.

(2) The unique position of leadership occupied by the Library of Congress in the field of library service, both nationally and internationally, demands the appointment of a head librarian who can maintain the Library's position of leadership without backward step and without loss of the position achieved through distinguished leadership over many years.

(3) The appointment of a nonlibrarian to this particular position can be considered in no other light than as an overt, unfriendly, and prejudicial act by an entire profession of some 30,000 librarians of the country, not to mention the many additional thousands of library trustees, educators, and friends of libraries, who have done so much in the past generation to establish the present-day high standards of library personnel and service.

(4) The appointment of a nonlibrarian to the Nation's foremost library position is sure to be demoralizing in its influence on library appointments and library service over the country as a whole, encouraging a reversion to the old sentimental and political appointments to library positions, and a denial of the things that have made the very foundations of modern library progress.

For these reasons it is earnestly hoped that the Senate of the United States will not confirm the appointment as Librarian of Congress of anyone but a thoroughly qualified and experienced librarian of demonstrated ability as a library administrator.

**Mr. BARKLEY.** Mr. President, I have a letter which I received from a member of the American Library Association, which, I think, in terms much more convincing than anything I might say, presents the situation with respect to this nomination. The letter is addressed to the Committee on the Library of the United States Senate. It reads as follows:

I am sorry that the American Library Association is opposed to the appointment of Archibald MacLeish as Librarian of Congress. As a life member of the A. L. A., I do not share its disappointment. There are exceptions to all rules, and a professional class which owes as much as it does to outsiders like Dante Alighieri, William Shakespeare, Thomas Jefferson, Andrew Carnegie, James Lennox, A. E. Newton, Henry Huntington, J. P. Morgan, et al., ought to welcome a distinguished "fellow traveler" along the bibliophilic road, whether or not he has had training or experience in library administration or economy.

The Library of Congress is not a small public or college library. It is a congeries of libraries with administrators and technical experts in many fields. In a real sense, it is a national university and, in fact, it has a number of chairs in science and the humanities, and more will develop as time goes on. Very few of the heads of its departments or divisions had library schooling or training other than that received in the Library of Congress itself. Herbert Putnam entered the library profession from the law without previous library training or experience and has made a notable success.

It is entirely proper that this or that public or college library should have trained librarians as their heads, for they must know every detail of their libraries and often instruct their staffs in their duties. Not so with the National Library or with the few great public and university libraries, the direction of which is comparable to a university itself. In such institutions and particularly in the largest of them all, the Library of Congress, it is far more important to have as director a man of judgment in selecting men, of vision in inspiring them to do their best, with a talent for expression, and with a love for books than a mere technician trained in the classification of knowledge and the rules of cataloging books, or even a mere library administrator.

As a man of the world, a proved executive, not only a poet but a writer of note, and, above all, a lover of mankind, Mr. MacLeish will carry on gloriously the work of his predecessor, who has so ably distinguished the Library of Congress and the profession.

I have here, Mr. President, scores of letters from librarians all over the United States, endorsing the nomination of Mr. MacLeish, though not so many as have been sent me by members of the American Library Association, inspired by a telegram or letter from the secretary of that organization asking its members to telegraph their protests, for I have in my files one letter from a librarian in a Midwestern State, copying the letter sent to him by the secretary of the American Library Association, asking him to write to me or to telegraph me and protest against this nomination.

I do not state that all these 1,400 librarians would not have written me anyway; it may be that all of them would have done so; but it so happens that the secretary of the organization did ask them to write, and it so happens that in San Francisco, when they were in session, the secretary of the association circulated petitions or had them circulated to be signed by the members who were in attendance. I have here the petition signed by several hundred members of the American Library Association who were in attendance, I presume, at the convention at San Francisco only a few days ago. They had a perfect right to do that, and I do not criticize them for doing it, but I say that it is not to be dismissed as a mere circumstance, and we have a right to consider the circumstances in determining the weight to be given the protest.

Mr. President, I believe that there is no greater man in the field of library accomplishments and attainments than Dr. Herbert Putnam, who for 40 years has been the head of the Congressional Library. Congress passed an act providing for his retirement as Librarian Emeritus in honor of his great work and his constructive administration of the Library of Congress.

I believe that Mr. MacLeish will be a worthy successor to Dr. Putnam. Not only does he know books, not only does he know their contents, not only is he widely read in history, in philosophy, in poetry, and in economics, but, Mr. President, Mr. MacLeish is the sort of a man whom any Member of the Senate might be glad to visit and sit down with after dinner or in the evening and discuss for an hour or two not only books, not only catalogs, not only library shelves, but discuss the economic, social, and moral problems that confront a great nation of 130,000,000 people. That is the kind of man I should like to see at the head of the Library of Congress.

As has been stated here, the Library of Congress has sufficient technicians. They know how to catalog books; they know where they are; they will help to decide what additional books should be placed in the Library. But there is a philosophy of literature that is nearly as important as is the technical knowledge of what literature is; and I believe that Mr. MacLeish expressed the desire and ambition and aspirations of the American people for their own Library when he said before the committee that he believed that the Library of Congress should make its knowledge, its history, its philosophy, and all that it contains available for the use of the American people, not only for the American Government, not only for the Congress of the United States, whose agency it is and always has been, but that the great Library of Congress should be made available with its philosophy, its information, its inspiration, and its teaching to the American people, not by sending books all over the country to be read out of the Library, which is a privilege not enjoyed by the average citizen of this country, but that it might be a great institution for enlightenment, inspiration, and education, and might in a real sense become a great university, as it is described here in the letter which I have read.

Therefore, Mr. President, I hope that this nomination will be confirmed. I believe that this man will justify the faith we have in him when he has served during whatever tenure of office he may hold as the Librarian of the Library of Congress.



## EXHIBIT A

JUNE 20, 1939.

HON. ALBEN W. BARKLEY,  
Chairman, Library Committee,  
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: I recognize the probable futility of opposition to the appointment of the gentleman named by the President to be the Librarian of Congress.

I am impelled, however, by reason of some years of experience at the head of an educational institution serviced by a library, to say what I am about to say and what I would say were the man my own brother who is named.

I hold no brief for anybody or any candidate. I do not oppose the nomination by reason of charges which have been made with respect to his communistic leanings, though I do feel they should be investigated and, were they established, should preclude him from any and all consideration. I might add that in my judgment he, or any man named, should, like Caesar's wife, be above suspicion.

My opposition to his confirmation is found in the fact that, as against the qualifications of those several men in this country who have made a life work of the study of library administration, his intellectual and literary qualifications are against him rather than in his favor. A man may be the greatest scholar but the poorest executive in the land. Librarians are in a class by themselves, and it takes years of hard work and preparation to qualify one's self for such a responsible position.

To go out into the highways and byways to select literati to fill executive positions with so great responsibility attendant, when men of competent ability and experience have given themselves and their lives in an endeavor to fill such vacancies, impugns our own interest and integrity of purpose and effectually raises a bar against effort which might be made by those who in days to come might attempt to qualify themselves to fill such vacancies if the occasion should arise. "What is the use?" says the young man who has a peculiar and demonstrated penchant along these necessary and recognized lines leading toward the life work of a librarian. "Why should I give years in order to fit myself, when some poet or author or writer, who has no experience and has no training and knows no more about the intricate details of library work than a goose does about God, will be appointed?"

The man selected for the post of Librarian of Congress should be able to satisfy your committee that he has had the necessary experience, has demonstrated the necessary fundamental practical qualifications as an executive to manage and direct the work incident to the proper discharge of the manifold duties of such an office.

Few men possess such qualifications; they are seldom if ever found in those who have devoted their lives to writing poetry or as authors or novelists, however high they may stand in the field of literature. The job of being Librarian of Congress is not something to be offered a la Nobel or Pulitzer prize or award.

That institution, which in some aspects affords the greatest educational opportunity to be found in this land, should be presided over by the ablest, best-trained, and most efficient librarian to be found in this country, and you know it just as well as I do.

Sincerely yours,

C. A. PLUMLEY.

Mr. BARKLEY. Mr. President, I ask unanimous consent to insert in the RECORD an editorial from the Baltimore Sun approving this nomination, an editorial from the New York Times, and two or three other editorials which I have received.

The PRESIDING OFFICER. Without objection, the editorials referred to may be printed in the RECORD.

The editorials referred to are as follows:

[From the Baltimore Sun of June 8, 1939]

## GOOD APPOINTMENTS

Two excellent appointments to official posts were announced on Tuesday. The President nominated Archibald MacLeish for the place as Librarian of Congress and, in Maryland, the hall of records commission chose Dr. Morris L. Radoff to be State archivist.

Mr. MacLeish is one of the country's outstanding creative writers; Dr. Radoff is a scholar whose work as editor of the State historical records survey richly commends him. The former will become the ranking librarian of the country; the latter will be in charge of the State's historical records. So far as we know, Mr. MacLeish does not have any formal training in technical librarianship, but we fail to see that this lack of experience constitutes a handicap. He is, after all, a man of wide experience as well as a poet who stands in the front rank of contemporary writers. The Library of Congress unquestionably has its share of experts the benefit of whose advice and specialized knowledge Mr. MacLeish will have; he will bring to his work not only the imagination which shows clearly in his poetry, the experimental temperament which marks his admirable poetic dramas for the radio, but also the critical intelligence that informed his Turnbull lectures at the Hopkins and the vital, broad interest in American affairs which characterizes his writings from *Conquistador* to *Land of the Free*.

The high and special qualities which men of genuine creative powers possess are likely to be of considerable value in any field of work. After all, it is to Anthony Panizzi, an Italian, friend of Foscolo and Merimee, and student of poetry, that the British Museum owes much of its present-day greatness. And if nations have

found that men of letters serve them well in diplomatic and governmental posts—and one recalls a long list of such men from Chaucer and Spenser, through Lowell and Irving, to Claudel and Ayala—there is certainly no reason to think that similar talents will not be happily and beneficially employed in the great national storehouses of literature. As a matter of fact they have been, as the cases of Coventry Patmore and Henry Francis Cary, in England, and of Charles Nodder and Remy de Gourmont, in France, suggest.

[From the New York Times of June 8, 1939]

## A POET FOR LIBRARIAN

Archibald MacLeish, named by President Roosevelt to succeed the admired Dr. Herbert Putnam as Librarian of Congress, is not a professional librarian. He is a number of other things that should commend him to those who wish to see the great traditions of our national library carried forward. He is an eloquent and impassioned poet—certainly one of the two or three at the top of our American list. Unlike some poets, he has a brilliantly logical mind, which the Harvard Law School recognized 20 years ago by ranking him highest in its graduating class for "scholarship, conduct, and character." He has been notably successful as a practicing lawyer and as an editor. There is every reason to believe that he has both the vision and the executive ability to give continued life to an institution which deals not only with books but with all the arts.

The charge has already been made that Mr. MacLeish is tainted with economic heresy. The truth seems to be that, like most poets, he is not entirely satisfied with the world as it is. His poems are alive with pity and indignation. In a necessarily more limping prose he has professed himself as believing "that democracy can be saved and that the American way is the best way out." So warm and generous a spirit, keenly sensitive to the finest cultural traditions, aflame with love of liberty, can hardly be a danger to the Library of Congress.

[From the Boston Herald of June 8, 1939]

## LIBRARIAN MACLEISH

The enthusiasm in Washington when the President named Archibald MacLeish as Librarian of Congress, to succeed Herbert Putnam, will be duplicated here, in New York, and wherever Mr. MacLeish is known. It was said of Herbert Hoover that he selected the ideal man when he named Justice Cardozo to the Supreme Court; and almost as much may be said of the honoring of Mr. MacLeish.

He was first man in his class at the Harvard Law School, and declined an appointment to the faculty. He was one of the most promising young lawyers in Boston when he left one of the leading law firms to give all his time to literature. As an editor of *Fortune*, a Pulitzer prize winner in poetry, a writer of excellent prose, a man of affairs, an administrator, and, as the President characterized him, "a gentleman and a scholar," he deserves immediate, unanimous, hearty confirmation.

The President will be criticized, perhaps, for his failure to pick a trained librarian. The obvious reply is that far more than technical ability is requisite for the supervision of one of the great libraries of the world. A skilled orthodox librarian could have been found easily enough, but none with the qualifications of Mr. Putnam. The purely professional features of the position can be learned easily by a man of Mr. MacLeish's endowments and experience.

A pleasing personality and a marked aptitude in speech, public and private, should be of great assistance to him in his relations with Members of Congress. The entirely nonpolitical nature of the appointment makes it all the more pleasing.

[From the Boston Herald of June 10, 1939]

## OPPOSITION TO MACLEISH

Neither the organized nor the unorganized opposition to the nomination of Archibald MacLeish as Librarian of Congress seems to have a substantial foundation. The president of the American Library Association, who has sent out telegrams to various associates urging protests to Senators, is presumably disturbed because Mr. MacLeish lacks specialized training as a librarian. That is an understandable attitude. It indicates, however, a narrowness which does not reflect any great credit on the American Library Association.

There is far more to the task of a Librarian of Congress than the carrying out of technical assignments. Congressmen, 531 of them, must be served and appeased. Political pressure must be resisted constantly. Skill in administration, close contact with men of affairs, and cooperation from a score of sources, literary and nonliterary, are essential if the high standards of Herbert Putnam are to be maintained. The nonprofessional tasks are perhaps more important than the professional; and we doubt that any schooled librarian could perform them nearly as well as Mr. MacLeish.

Indeed, the noncareer librarians have perhaps made more enduring contributions to library administration and upbuilding than the career men—and the story is the same in American diplomacy. The list of such librarians is most impressive.

The great Justin Winsor lacked technical acquirements. Archibald Carey Coolidge, who did so much to make the Widener Library at Harvard what it is, was not a professional librarian.

The new head of the Yale University library, Bernard Knollenberg, has not pursued librarianship as a life career. President McKinley's appointee, John Russell Young, who made great improvements in the Library of Congress, was also lacking in knowledge of the Dewey decimal system and some other subjects taught to students of library schools. The Army medical library, unrivaled in the world as a medical library, was the creation of a surgeon named John S. Billings. The greatest law library in the world, the Harvard law library, has never had a professional librarian at its head, and was created by professors.

Herbert Putnam himself was primarily a lawyer. He began his notable career at the Boston Public Library and continued it at Washington after he had interrupted his western library activities by a bar career of a few years. Edmund Gosse, librarian of the House of Lords, and Sir Frederick Kenyon of the British Museum, a famous repository of books, would fail, with those famous Americans, in the narrow test which apparently the head of the American Library Association would apply.

The MacLeish choice seems to us not only good but brilliant. There is probably not a trained librarian in the United States who has his manifest qualifications for a distinguished career as head of the great institution. Men and women entirely familiar with the more or less mechanical aspects of library administration are to be had by the score. Many of them are on the staff of Mr. Putnam and will be available for his successor.

Mr. FRAZIER. Mr. President, I am not going to make any lengthy speech on this nomination or attempt to make any oratorical speech; I could not do that if I wanted to; but, like other Members of the Senate, I have had a number of protests, especially from librarians and the Library Association against the nominee. Most of these librarians, of course, have taken the library course in college. It cost them money to do that. They have an organization built up to protect their own interests, just as attorneys have organizations to protect their interests. It is perfectly natural when an appointment is made for a position such as the head of the Congressional Library in Washington that the Library Association should protest against anyone being appointed to a position of that kind who is not a librarian. I doubt if there is an attorney, a Member of this body or the body at the other end of the Capitol, who would not protest bitterly against the nomination to the bench of the Supreme Court of the United States of a man who was not a lawyer, and probably against anyone who had not been a judge or had not had some experience on the bench, although there is nothing in the law, as I understand, or in the Constitution to prevent the appointment of a layman to the Supreme Court.

It seems to me that the position of Librarian is largely a technical one, and that the head of the largest library in the world should be qualified both as an administrator and from a technical standpoint to be Librarian.

Of course, I have not had from anyone any complaint about the character of Mr. MacLeish or his ability as an attorney or as a writer. I have noticed in some of the newspapers charges of radicalism, but that does not affect me in the least. I do not blame people for being radical. It seems to me it indicates that they have been doing some thinking for themselves anyway. But, Mr. President, I feel that in a case of this kind the librarians especially have a right to protest. I agree with them that someone who has had technical knowledge and training should be placed in the position of head of the Library of Congress.

The Senator from Kentucky read a letter from some librarian who spoke of Dr. Putnam who is retiring as not having been a librarian. Well, of course, he had been a librarian and held positions as such both at Minneapolis and Boston. I do not know how much technical training he had had but at least he had been a librarian and knew library work.

The Senator from Massachusetts [Mr. WALSH] brought up the question of the past history of appointments to the position of Librarian of the Library of Congress. Someone sent to me an article of a little over a page. I presume it came from some librarian, although I do not know where it came from, as it is not signed. I have no doubt of the correctness of the statement but I admit I have not attempted to verify it. The article goes on to say that the Senate did not confirm in 1899 an appointment by President McKinley of a nonlibrarian as Librarian of Congress. It goes on further to state that before that time, after Mr. Spofford, who served

from 1864 to 1897, had retired, a newspaperman, a politician by the name of Young, had been appointed. Mr. Young lived only a year or two after his appointment and thus a vacancy occurred in President McKinley's administration. A number of politicians and people who were interested in getting the job had applied and been recommended for the position. Mr. McKinley was apparently in sympathy with making such an appointment and he recommended to the Congress the appointment of a retiring Member of the House by the name of Barrows. The Library Committee refused to approve that appointment or to recommend it to the Senate, and so the appointment was not made. Adjournment was had, Mr. Putnam was appointed during the recess, and his appointment was afterward confirmed by the Senate at the next session of the Congress.

I mention this merely to straighten out the statements made by the Senator from New Hampshire and the Senator from Kentucky in regard to this particular situation.

I suppose in all probability the nomination of this gentleman as Librarian of Congress will be confirmed. Nevertheless, I think the librarians of the country should be given consideration, and that their protests should be considered in voting on this nomination.

Mr. MALONEY. Mr. President, I shall be brief; but I do not think I would be fair to myself or to this distinguished man, who is from my State, if I did not comment upon the nomination.

If I desired to bask in the brightness of this man's brilliance, I would make a speech. He is so unusual a man, in my opinion, that my praise of him would reflect favorably upon me.

A little earlier, immediately after the nomination of Mr. MacLeish came to the Senate, there was a careless reference to the man's Americanism. That seems completely to have been dissipated, and I congratulate the Senate and its entire membership that it has left that reference entirely out of the discussion this afternoon.

In addition to the fact that Mr. MacLeish is an able lawyer, an outstanding poet, and a brilliant scholar, as well as a soldier, he is a playwright and an author. While, as the majority leader pointed out, he has not had much, if any, experience in cataloging books, nor probably is he familiar with the technical details of library work, the persons in the Congressional Library who do catalog books, and the persons in the other great libraries of the country who catalog books, will enjoy the experience of cataloging books and manuscripts prepared and written by this versatile and scholarly man.

I think he has had a more splendid experience up to this time than had the great Librarian, Mr. Putnam, at the time of his appointment to the Library of Congress. It is true that Mr. Putnam had some experience in two smaller libraries before he came here, but Mr. MacLeish has spent a very considerable time in libraries in connection with his love of literature and poetry and art and as a playwright and as an author. He has necessarily lived a good part of the time in libraries doing research work. He is a Pulitzer prize winner; and the majority leader pointed to the fact as he read some correspondence that Mr. MacLeish was a "fellow traveler" of several great Americans. The majority leader did not mention that Mr. MacLeish was a "fellow traveler" of those Americans who have a right to the royal purple of our country because of their participation in the war; but he did point out the facts regarding the competency of Mr. MacLeish to a sufficient extent, as did the other Senators who have spoken, to make it unnecessary for me or anyone else to speak at length.

I congratulate the Senator from Vermont [Mr. AUSTIN] for the fairness of his presentation and should like to go beyond that and congratulate him for making what I thought was a splendid argument in favor of the appointment of Mr. MacLeish.

I should like to ask for a roll call on this nomination in order to have the RECORD show that there is very, very little, if any, opposition to the appointment; but because so many



Members of the Senate are compelled to be elsewhere in connection with important conferences which must be completed by tomorrow, I myself shall not ask for a roll call. I should like, however, to have the RECORD show that it is my opinion that there will be, if any, not more than a few votes against the confirmation of the nomination.

I ask unanimous consent that there may be added to my remarks an interesting letter which recently appeared in the Hartford Courant and which in a scholarly way points out the rich qualifications of Mr. MacLeish.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Hartford (Conn.) Courant]

LIBRARIAN OF CONGRESS—MR. MACLEISH DESERVES RECOGNITION OF SCHOLARLY TALENTS

TO THE EDITOR OF THE COURANT:

The conferring of an honorary degree of doctor of letters on Archibald MacLeish by Yale University rekindles smiles that met the howls of dismay emanating from New Jersey's Representative THOMAS, and from some librarians, when the President nominated Mr. MacLeish to head the Library of Congress.

Very little intelligence is required to discard the cloak of communism with which Representative THOMAS would envelop Mr. MacLeish. A more disconcerting note is heard in the opposition of the librarians, for the public assumes that they, in accordance with their training for their positions, do a bit of thinking for themselves. We hope that the protests in no way expressed the sentiments of the majority of that group.

To assume that technical qualifications necessary for the ordinary librarian should likewise be necessary in greater degree for this post is childish. The Library of Congress is more than a receptacle or depository for books. It is one of the rare cultural centers in this country.

With the exception of the various cultural projects undertaken during the past several years primarily to give sustenance to needy artists in all fields—music, drama, and literature included—our Government has done little, if anything, in the century and a half of its existence to encourage and foster a development of American culture among the masses of the people. Contrasted to the direct patronage given art by the governments of other countries over a period of centuries—England, for instance, has a poet laureate—our record in that respect is a sorry one.

Under no circumstances would I withhold extreme praise and credit to the private philanthropists who endow our colleges and libraries and who build their memorials in concert halls and museums. As far as they go they are splendid. But to this day the rank and file of our people do not avail themselves of their gifts—probably because in that all-important period during which children become adults, the preparation for the material battle of life has been emphasized, and acquaintance with the things that are quite as important but less tangible, neglected.

To repeat, the Library of Congress is not merely the world's greatest depository for books. Nor are its frescoes and mosaics, its columns and statuary, its marble and murals, its sole claim to distinction; neither is its amazing music library, containing one of the world's greatest collections of instrumental and vocal scores and original manuscripts. Through the Elizabeth Sprague Coolidge Foundation a concert hall was added to the Library some years ago. Some of the choicest string ensembles and solo concerts during recent years have been broadcast from this auditorium. Many of the visiting artists have played the Stradivari (four of them) given the Library by Mrs. Matthew John Whittall.

The Gutenberg Bible, of which the Library of Congress has one of the three perfect copies extant, the letters and handwritten documents of most of the Nation's great, the Declaration of Independence and the Constitution which repose in the Library—these are not to be considered merely important insignia of the past which lend tone to the Nation's greatest library. They are ties that link us to the past, the past to us, and the present to the future. In the very possession of those ties, the Library of Congress is a symbol of our permanence.

Each division of the Library is headed by men who are experts in their respective fields of learning. The employees of the Library are technically qualified to carry out the routine and special duties assigned to them—just as are the employees of our library here.

It is the spirit of the Library of Congress which embraces and expresses art in all its branches that fully vindicates the selection of a scholar and a man of letters to be its head, rather than an expert at card cataloging. It is one thing to know what a book contains. It is quite another thing to know why the book contains what it does.

It is proper that the man selected to head the Library be one whose genius has been recognized by the Pulitzer Prize Committee, whose own manuscripts will be listed in its catalog, who has been engaged in research, and who now has been honored by his alma mater with an honorary degree. It might be added in passing that Yale decided to confer the honorary degree before Mr. MacLeish was signaled out for honor by the President 2 weeks ago. Honorary degrees are not won easily, nor over night.

Those of us who are library addicts offer our admiration to a President who "travels" with the scholars when he deals with things scholastic.

DAREL.

HARTFORD.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to this nomination?

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	King	Reynolds
Andrews	Davis	La Follette	Russell
Ashurst	Downey	Lee	Schwellenbach
Austin	Ellender	Lodge	Shipstead
Bailey	Frazier	Lucas	Slattery
Bankhead	George	McCarran	Smathers
Barbour	Gibson	McKellar	Taft
Barkley	Gillette	Maloney	Thomas, Okla.
Bilbo	Green	Mead	Tobey
Bone	Guffey	Minton	Townsend
Borah	Hale	Murray	Truman
Bulow	Harrison	Neely	Tydings
Burke	Hatch	Norris	Vandenberg
Byrd	Hayden	Nye	Wagner
Byrnes	Herring	O'Mahoney	Walsh
Capper	Hill	Overton	White
Clark, Idaho	Holt	Pepper	
Clark, Mo.	Hughes	Pittman	
Connally	Johnson, Colo.	Reed	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

The question is, Will the Senate advise and consent to this nomination?

Mr. BARKLEY. Under the circumstances, since we have had Members of the Senate called in, we should have a yeas-and-nays vote on the nomination.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. HARRISON. On this vote I have a pair with the senior Senator from Oregon [Mr. McNARY]. Not knowing how he would vote, I withhold my vote.

Mr. DANAHER. The junior Senator from Wisconsin [Mr. WILEY] asked me to announce that he is absent on important public business. Not knowing how he would vote if present, I cannot make announcement.

Mr. SHIPSTEAD. I am paired with the senior Senator from Virginia [Mr. GLASS]. I am not informed how he would vote if present, and I withhold my vote. If permitted to vote, I should vote "yea."

Mr. BARKLEY. My colleague the junior Senator from Kentucky [Mr. LOGAN] and the Senator from Maryland [Mr. RADCLIFFE] are unavoidably absent. If present, they would vote "yea."

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

Mr. MINTON. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from Wyoming [Mr. SCHWARTZ] are detained from the Senate because of illness.

The Senator from South Carolina [Mr. SMITH] is absent because of illness in his family.

The Senator from Michigan [Mr. BROWN], the Senator from Arkansas [Mr. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GERRY], and the Senator from Minnesota [Mr. LUNDEEN] are necessarily detained.

The Senator from Ohio [Mr. DONAHEY], the Senator from Arkansas [Mr. MILLER], the Senator from Tennessee [Mr. STEWART], the Senator from Indiana [Mr. VAN NUYS], and the Senator from Montana [Mr. WHEELER] are detained in various Government departments.

The Senator from Texas [Mr. SHEPPARD] and the Senator from Utah [Mr. THOMAS] are absent on important public business.

The Senator from Texas [Mr. SHEPPARD] has a general pair with the Senator from Minnesota [Mr. LUNDEEN].

The result was—yeas 63, nays 8, as follows:

YEAS—63			
Adams	Danaher	Johnson, Colo.	Pepper
Andrews	Davis	La Follette	Pittman
Ashurst	Downey	Lee	Reynolds
Bailey	Ellender	Lodge	Russell
Bankhead	George	Lucas	Schwellenbach
Barkley	Gibson	McCarran	Slattery
Bilbo	Gillette	McKellar	Smathers
Bone	Green	Maloney	Taft
Borah	Guffey	Mead	Thomas, Okla.
Bulow	Hale	Minton	Tobey
Byrd	Hatch	Murray	Truman
Byrnes	Hayden	Neely	Tydings
Capper	Herring	Norris	Vandenberg
Clark, Idaho	Hill	Nye	Wagner
Clark, Mo.	Holt	O'Mahoney	Walsh
Connally	Hughes	Overton	
NAYS—8			
Austin	Burke	King	Townsend
Barbour	Frazier	Reed	White
NOT VOTING—25			
Bridges	Gurney	Miller	Thomas, Utah
Brown	Harrison	Radcliffe	Van Nuys
Caraway	Holman	Schwartz	Wheeler
Chavez	Johnson, Calif.	Sheppard	Wiley
Donahey	Logan	Shipstead	
Gerry	Lundeen	Smith	
Glass	McNary	Stewart	

So the nomination of Archibald MacLeish to be Librarian of Congress was confirmed.

Mr. MALONEY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be immediately notified.

WILLIAM S. BOYLE

Mr. BARKLEY. Mr. President, it is now desired that the Senate proceeded to the consideration of the nomination for district attorney for the district of Nevada.

The PRESIDING OFFICER. The nomination of William S. Boyle, of Nevada, to be United States attorney for the district of Nevada was temporarily passed over at the request of the Senator from Kentucky. It is now the order of business, and is before the Senate.

Mr. McCARRAN. Mr. President, I objected before the Committee on the Judiciary of the United States Senate, and now on the floor of the United States Senate I object to the confirmation of William S. Boyle to be United States district attorney for the district of Nevada, for the reason that the nominee is personally obnoxious and personally offensive to the junior Senator from Nevada. I hope that confirmation will not follow.

Mr. PITTMAN. Mr. President, I have taken issue with my colleague on this question. There is no bitterness whatever involved. However, I do not think that the evidence justifies the charges my colleague has made.

I take issue with my colleague in his statement as to the constitutional provision with respect to the authority of the Senate in consenting to a nomination made by the President requiring confirmation. I do not think the Constitution vests in any single Senator or any group of Senators the right to advise and consent to a nomination made by the President, whether or not the nomination is to an office within the State of the Senator attempting so to advise and consent. I think the Constitution grants the Senate of the United States the authority, as a Senate, an organized body, sitting as a Senate, to advise and consent to nominations.

I do not think it was ever intended by the framers of the Constitution that even in the Senate, as an organized body, the Members should vote against confirmation of a Presidential appointment merely because a Senator did not approve of the nomination. In my opinion, the word "consent" has a different meaning from the word "approved."

Mr. President, in the 26 years I have been a Member of the Senate, nominations have been sent to the Senate of which

I did not approve, nominations of men whom I would never have nominated if I had had the nominating power. In many cases I thought the nominees were poorly qualified. In some cases when appointments were made in my State I did not like the appointees personally. Some, particularly during the Republican administration, were appointed who had been quite bitter critics of me politically. Possibly at times their criticism took the form of personalities. Yet in the 26 years during which I have been in the Senate I have never yet used the courtesy ground or practice or custom, whatever it may be called, of objecting to an appointee because he was personally obnoxious to me. If the Senate shall confirm that practice I can conceive that great confusion may arise, particularly when a change in administration occurs. If carried to the extreme it will mean that no nomination may be confirmed unless both Senators from the State of the appointee shall say that he is not personally obnoxious or unsatisfactory to them.

In the case now before the Senate there is nothing in the testimony against the nominee, nothing against his character, nothing against his ability or his qualifications. I take it if Senators will read the hearings which are on their desks they will find that the only ground, in my opinion, on which the junior Senator from Nevada could sustain his charges, is the testimony of the former United States Attorney, now Governor of the State of Nevada, Governor Carville. In a telegram sent to the junior Senator from Nevada during the hearings he stated in effect that in June 1937 he, Carville, being interested in Senator McCARRAN's coming campaign in 1938, dropped into Mr. Boyle's office and asked him how he stood with Senator McCARRAN, and that Mr. Boyle said, "You know that Senator McCARRAN and I are enemies."

That telegram was sent during the hearings, not before that time. The alleged conversation took place over 2 years ago. Mr. Boyle denied it. The matter is at issue. So far as I am concerned, I have absolute confidence in the integrity of both those men, but I believe that when one thinks back a period of 2 years and tries to remember whether a conversation was had, and the construction of the conversation, he will find that his memory is not very sound or reliable. Boyle remembers nothing of such a thing and denies it. Carville states it as a fact.

Be that as it may, even if Boyle did say in 1937 that he and the junior Senator from Nevada [Mr. McCARRAN] were enemies, the evidence in the record is uncontradicted that Boyle supported Senator McCARRAN in 1938, both in the primaries and in the general election. I do not know that I could hold enmity against a man, even if we were not friends in 1937, if he supported me in my primary fight and my election fight subsequently in 1938.

That is the only testimony in the record of any hard feeling between these two gentlemen, except that Mr. Boyle, who appeared before the committee and testified, said that if there was any enmity between the junior Senator from Nevada and himself, it was on Senator McCARRAN's side, because he said he would bow to him on the street and Senator McCARRAN would not return the bow.

I think that is all the testimony in the record which I remember, and if I have forgotten any testimony with regard to ill feeling between these two gentlemen, the junior Senator from Nevada, of course, will call attention to it.

Let me now read a statement I made in the presence of the junior Senator from Nevada and the other members of the subcommittee on this subject. I prefer to read it because it was made in the presence of the junior Senator from Nevada and the full membership of the subcommittee, and I do not desire to diverge from it. This is my statement:

Senator PITTMAN. I have looked over the record here, and I feel that I should make a statement; but I did not want to do injustice to Mr. Boyle any more than I would do injustice to Judge Carville, both of whom have been personal friends of mine for 20 years.

I have already put in the record, or read into the record, my correspondence with Judge Carville. I sent a copy to the Attorney General, and that letter is in the record also.



When this nomination came here for the advice and consent of the Senate on January 24, 1939, the chairman of the committee, Senator ASHURST, sent me one of the regular forms, which reads as follows:

"Sir: Will you kindly give me, for the use of the committee, your opinion and information concerning the nomination of William S. Boyle, to be United States attorney for the district of Nevada. (Recess appointment.)

"Under a rule of the committee, unless a reply is received from you within a week from this date, it will be assumed that you have no objection to this nomination.

"Respectfully,

"HENRY F. ASHURST, Chairman."

That was addressed to Hon. KEY PITTMAN, United States Senate. In reply to that I wrote this:

"I did not endorse Mr. Boyle for appointment because several of my friends sought my endorsement. I consider Mr. Boyle well qualified in every particular. I hold him as a friend.

"KEY PITTMAN."

I then inquired if Senator McCARRAN had made any comments upon the nomination, and was informed that he had not.

The first time that I heard that Senator McCARRAN was going to raise objection to Mr. Boyle was in this committee room. I had not the slightest idea whether Senator McCARRAN would make an objection or not.

Now, in answer to a question in the record, and the question was directed straight at me by Senator McCARRAN: "Did you endorse Mr. Boyle?" I replied: "No; I did not."

However, I think that the circumstances in regard to this whole matter should be made public. In the first place, when the administration became Democratic, in 1933, it was my intention to endorse a gentleman out there by the name of McKnight, and I thought at the time that Senator McCARRAN would endorse him, although I do not know whether I had any reason to believe that at all. When the time came for making an appointment, or near that time, I think the Attorney General called on both of us to make some suggestion—in fact, I know he did—and I suggested Mr. McKnight. It was only in a tentative state at that time, because I do not think the office was vacant; and, later on, when the time came for appointment, I got a letter from the Attorney General asking for suggestions. I had already made verbal suggestions, but, when the time came, I thought McKnight should be appointed. I called up Senator McCARRAN over the phone and I said, "I suppose you have a letter from the Attorney General suggesting that we recommend somebody for district attorney out there," and I said, "I am ready to join with you in the recommendation of Mr. McKnight." Senator McCARRAN then stated, in effect—I do not remember the details—that McKnight was personally obnoxious to him.

Senator McCARRAN. I do not concur in that statement.

Senator PITTMAN. How was it?

Senator McCARRAN. Well, I do not want to correct you.

Senator PITTMAN. Well, this is only historical.

Senator McCARRAN. I did not make that statement.

Senator PITTMAN. Well, the language was strong.

Senator McCARRAN. Put it that way.

Senator PITTMAN. Well, I am not trying to repeat the language. So I made some investigation and the evidence that I received, Senator McCARRAN, was sufficient in the circumstances to lead me to believe that you had a right to feel that McKnight was personally offensive; and the result was that I did not recommend McKnight, but wrote him very fully and told him exactly why I would not do it. I did endorse another man, and then I withdrew that endorsement and joined in with Senator McCARRAN in endorsing Judge Carville. I have the very highest regard for Judge Carville, and always have had. I think we have been personal friends for over 20 years. I may say the same thing with regard to Mr. Boyle. I think Boyle is a younger man than Judge Carville. I have also been a personal friend of Boyle's for over 20 years. Boyle was an active politician. Judge Carville was not. Boyle was chairman of the Democratic State central committee at one time, and, as far as I know, has always been active as a Democrat.

He was a very close personal friend of James Farley, and represented Farley in Franklin D. Roosevelt's campaign before the national convention of 1932. He was quite active. Farley met Boyle at that time, when he had charge of the pre-convention campaign of Franklin D. Roosevelt, and evidently became very much attached to him, because he wanted to know if I would support Boyle for United States attorney. That was back in 1933. I told him I could not, because I was going to support McKnight, and I thought that McKnight was entitled to it by his long service in the party and by reason of every factor that I knew of. I think McKnight was almost unanimously endorsed at that time. I told Mr. Farley that Boyle was a friend of mine and that I would be very glad to endorse him for the position of assistant attorney general in charge of water litigation in Nevada, and I did. I subsequently received a lot of resolutions and letters from Democratic labor clubs and other labor organizations urging me to support Boyle for United States district attorney, but I did not change my position in the matter. That is all.

Now, that is the history, as far as I can recollect it, of the original Boyle appointment and the original Carville appointment. I was importuned to endorse Carville, and I declined to do so for the reasons stated in the letters; and I took no part whatever in the appointment of Boyle; but I must say I feel this way about it: That if the evidence came to me, such as it came in the matter

of the proposed appointment of Mr. McKnight, as far as I am concerned, I would not request you, Senator McCARRAN, to present the evidence to the committee.

Senator McCARRAN. On McKnight?

Senator PITTMAN. On McKnight. If the same character of evidence came in in regard to Boyle, I would not ask you to present it to this committee, because while the evidence might have been doubtful, it was sufficient in this kind of matter.

I do not see this case in the same light at all. I do not think that Boyle sought this appointment. I think that from all the evidence that is in the record here from Mr. Keenan that Mr. Farley decided to get Boyle appointed in 1933. I think that he has higher admiration for Mr. Boyle than he has for any other man in the State of Nevada.

Now, Boyle has some rights in this matter. I do not think he sought this appointment; at least, there is no evidence of it that I have. He had been in the Department for 4 or 5 years. He had been back here a number of times and is personally known to the Attorney General and Mr. Keenan, according to the testimony.

Senator McCARRAN. I do not want to interrupt you, but would you mind saying that he was under appointment, drawing \$6,000 a year, and that this appointment now draws \$4,500?

Senator PITTMAN. Yes; I think that is correct; but Boyle was appointed by the Attorney General. As near as I know, the circumstances are as stated. He has been serving as United States attorney for several months—almost a year. As far as I know, there was never any statement made during that period of time that you intended to object to his appointment on the ground that he is personally obnoxious.

Now, my view of making an objection on the ground that a man is personally obnoxious was offered at the time of the proposed appointment of Senator Rublee to the Interstate Commerce Commission in 1913. Rublee had run against Senator Gallinger, who had served for a number of years. Gallinger made the objection that Rublee was personally obnoxious. He was asked why, and he stated that Rublee had made a speech in his campaign which constituted a personal attack on him which he could not forgive, and that he had instigated the publication of an editorial in some paper up there. The matter was taken up by the Judiciary Committee and the speech was presented to them and also the editorial. The report of the committee, as I remember—it was discussed quite freely—was that while Rublee in his campaign had criticized—in some cases quite severely—the vote and action taken by Senator Gallinger with regard to many questions that there was no personal attack in the speech. The editor of the paper that contained the editorial, so the report shows, stated that he published that of his own free will and accord, without the knowledge or consent of Mr. Rublee. That was debated quite extensively on the floor of the Senate. Unfortunately, at that time we had a closed executive session, so there is no record; but the majority of the Senate at that time felt that there was not sufficient evidence to justify the charge that the appointee was personally obnoxious.

Now we come down to the case of Judge Robinson, of Virginia. I voted in this committee for a favorable report on Judge Robinson.

Senator McCARRAN. My recollection is that you voted for an adverse report. I hope I am wrong.

Senator PITTMAN. That is right. I voted for an adverse report on Judge Robinson because I believed that the testimony before the committee disclosed the fact that Senators CARTER GLASS and BYRD had sufficient reasons to believe that the appointee had been conscious of a conspiracy to humiliate the two Senators from Virginia.

In that case, when some wanted to bring the matter before the committee, to pass on the question of the matter of the objections, I took the position that the committee should hear the evidence, and the committee decided to hear evidence to see whether or not the objection was reasonable or whether it was simply a captious objection based on the theory of veto power. There were a number of witnesses who testified. It was admitted that there were conferences between the Governor and Judge Robinson.

Senator McCARRAN. Senator, I hope you are right in that last expression. I am relying on my memory, and I would not want to contradict you. I know of no evidence of conferences between the nominee and the Governor.

Senator PITTMAN. My impression is that the Governor himself stated that he had talked with Judge Robinson; but be that as it may.

Senator McCARRAN. Well, Senator, I do not want to interrupt you. That is the record as best I recall it.

Senator PITTMAN. The Attorney General requested those two Senators to submit two names to him for his consideration; and, according to the testimony of GLASS and BYRD, they went down to Virginia, among a lot of friends they had down there—judges and lawyers—and performed the very embarrassing service of handing in two names.

A publication came out in the paper down there, stating that the Governor had a veto power on any appointments made in Virginia. That article was taken, according to my recollection—a clipping from that paper—and sent to the President; and, as I recollect it, the President answered it simply by stating that he never answered newspaper articles. In that situation, without any further notice to GLASS and BYRD, Judge Robinson was appointed. I think that is an entirely different situation from the present cases. There is no evidence here that Boyle sought this position

or that he sought anybody's support in the matter. He was connected with the Attorney General's office. The testimony of Mr. Keenan is that he was directed to investigate, or had investigated, rather, the record of Mr. Boyle. I do not know whether he investigated the record of Judge Carville or not, but he investigated the record of Mr. Boyle and Boyle was appointed. Boyle has been on the stand here, and he testified very frankly before this committee that he spoke to Senator McCARRAN on the street a number of times and Senator McCARRAN never spoke back.

He testified here that he voted for Senator McCARRAN, both at the primaries and the election. That stands uncontradicted. We have the testimony here of Mr. Malia, I think it is—the president of one of the Catholic societies of Reno—and I assume he would not hold that position unless he was a man of some prominence. I do not know whether I know him or not; I am not sure; but he sent in here a sworn statement which no one has seen fit to contradict, that Mr. Boyle did work among the Italians for Mr. McCARRAN in the primary election. Those matters have never been questioned and stand before the committee.

Now, it seems that this is based very largely—the charge that Boyle is personally obnoxious—on the ground that Carville was an efficient, competent man, which nobody denies, and that the appointment of Boyle was solely for the purpose of taking a slap at the junior Senator from Nevada. Admitting that that is true, for the sake of argument, I do not see that Boyle had anything to do with that. He is not connected with it in any way that I know of. Farley did not desire to take a slap at Senator McCARRAN—Farley supported McCARRAN.

Now, you have put in the evidence today a telegram from Mr. Edward W. Clark, national committeeman, saying that he endorsed the reappointment of Carville. I have put in the RECORD, also, a letter from the same Edward W. Clark, national committeeman, urging the confirmation of Mr. Boyle. Apparently the national committeeman out there likes them both. The junior Senator has put in the RECORD today a telegram from Mr. Swartz, chairman of the State central committee, showing that in June 1938 he had endorsed the reappointment of Mr. Carville; and I have put in the record a letter from Mr. Swartz, urging the Senate committee to report favorably on the confirmation of Mr. Boyle. It is a perfectly natural thing. They are both good men. They are both good Democrats.

Now, I have placed in the RECORD here letters from every member of the supreme court of Nevada, from, I think, all—or practically all—of the district judges of Nevada, and from numerous other cities, which I presume you will remember, urging this committee to report favorably on the confirmation of Mr. Boyle. When you get down to it, all of these men, I think, would have endorsed the appointment of Judge Carville. None of them seem to have seen anything wrong with Mr. Boyle, and practically all of them are endorsing the confirmation of Mr. Boyle. Now, personally I will say here that I have never favored interference in a State fight by outside Federal officials, and I do not now. I do not know to what extent there has been interference, except insofar as the junior Senator has stated there was interference from the outside.

Mr. Boyle has testified here before you that he got the chairman of the National Democratic Committee, Mr. Farley, to help in Senator McCARRAN's campaign. I think that it would be very unfair to Mr. Boyle to hold him responsible for something over which he had no control. He has had nothing to do with a slap, so far as I can see from the evidence. After having served for nearly a year, without any charge having been made, to my personal knowledge, to have him thrown out of office, carrying the imputation that there was something wrong with him, I do not think is fair.

There is no evidence that there is anything wrong with Mr. Boyle. I think if you are going to establish the practice in the United States Senate that a Senator has the veto power of appointments in his State on the ground alleged by Senator McCARRAN, in accordance with the evidence presented by Senator McCARRAN, that the constitutional authority of a President to appoint would be nullified. If the President had tried to defeat a Senator or had interfered in his campaign, and such action were ground to raise this question, it would be impossible to ever have an appointee in the State unless he was approved by both of the Senators.

That is the statement which I made before the subcommittee of the Judiciary Committee at the time my colleague [Mr. McCARRAN] made his statement. The evidence shows that the President made statements to my colleague's primary opponent derogatory of my colleague, and that my colleague's opponent repeated those statements in his speeches, and that they were not denied by the President. Undoubtedly there is evidence there, which stands uncontradicted, that the President of the United States was opposed to the reelection of my colleague, and made statements to my colleague's opponent which the opponent used, and the President refused to deny them. On the other hand, there is not a scintilla of evidence which I can find that Mr. Boyle had anything on earth to do with that matter, or any knowledge of it.

There is no question from the evidence that Mr. Boyle was recommended by Jim Farley, national committeeman, the same Jim Farley who urged me to recommend Boyle in

1933; and there is not any doubt that Jim Farley did not participate in any "purge" in any State during the last election. There is not any doubt that he opposed the so-called "purge" of any candidate in any State. In fact, most of the time he was supporting candidates whom it was charged the President was against.

Some persons may think that Mr. Boyle was appointed by the President as a slap at my colleague; but, as a matter of fact, from 1933 on Jim Farley was trying to get his friend Boyle in as United States attorney, and I know that Farley did so.

Mr. BAILEY. Mr. President, there seem to be two allegations here by way of objection. One is that—

Mr. Boyle is personally offensive to me—

That is, to the junior Senator from Nevada [Mr. McCARRAN]—

because he has lent himself to a conspiracy to take from me my standing as a Member of the Senate of the United States.

That is No. 1.

No. 2:

And has lent himself to defeat the will, or rather the words, of the Constitution of the United States, which says that the Senators of the United States shall confirm, recommend, and advise.

Is there any evidence in the record to sustain those two allegations?

Mr. PITTMAN. I do not know of any evidence in the record to show that Boyle lent himself to this conspiracy.

Mr. BAILEY. Was there a conspiracy?

Mr. PITTMAN. I do not know whether there was or not. There is not any evidence of a conspiracy except that the President did not appoint the man whom my colleague recommended.

Mr. BAILEY. That would not be a conspiracy.

Mr. PITTMAN. I myself do not think so, but that is all I know about. There is no evidence of anything else. He lent himself by being appointed.

That is all I have to say on the matter.

Mr. NORRIS obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator from Nebraska yield to me to ask the Senator from Nevada one question?

Mr. NORRIS. Yes.

Mr. BARKLEY. It is agreed that this nomination was made without the recommendation of either the senior Senator from Nevada or his colleague?

Mr. PITTMAN. Yes.

Mr. BARKLEY. I do not know that it is important; but how did it come about that neither Senator from Nevada recommended the nominee?

Mr. PITTMAN. That is shown in the testimony. Judge Carville, while he was United States attorney, wrote me a letter requesting my endorsement for his reappointment. I wrote him a letter and told him that while I was out in the State my endorsement for the office had been sought by five Democrats who were very close personal friends of mine, all of them qualified, and all had been my political supporters, and I did not desire to take a stand against any one of them; that I would make no recommendations to the Attorney General, but that if the Attorney General asked me with regard to the qualifications of any of the candidates I would state them. I stated to Judge Carville in the letter that I admired him, my friendship for him was the same, and if the Attorney General reappointed him it would be entirely satisfactory to me.

That is the reason why I joined in no recommendations. However, as the testimony shows, Boyle was appointed Assistant Attorney General in 1934 on my recommendation.

That is the situation with regard to the nomination.

Mr. BONE. Mr. President, may I inquire whether either of the Senators from Nevada was notified in advance that the nomination of Mr. Boyle was to be made?

Mr. PITTMAN. No; at least, I was not.

Mr. BONE. So the nomination came as a matter of fresh news to both Senators from Nevada?



Mr. PITTMAN. I was out in the State when he was appointed.

Mr. McCARRAN. The first knowledge I had of it was when the press carried the news of nomination.

Mr. NORRIS. Mr. President, I was on the subcommittee which heard the evidence in this case. I was in the minority when they came to make their report. I believe the nomination of Mr. Boyle ought to be confirmed.

I desire to discuss briefly the constitutional provisions which, in my judgment, are controlling.

In clause 2 of section 2 of article II we find the constitutional power which the President has exercised, and which the Senate is now exercising, in regard to appointments.

He—

Meaning the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States—

That is as far, I think, as it is necessary to read in order to discuss the powers of the President and the Senate.

I wish to call the attention of the Senate to the fact, although it may be unnecessary, that the public generally confuses the power of nomination with the power of appointment. Notice the difference in the provision in the Constitution:

He shall nominate, and by and with the advice and consent of the Senate, shall appoint.

He has not yet appointed anyone in this case. He is not required to get consent of the Senate to nominate. There is no constitutional provision which requires the President to consult with Senators. He may consult with all the Senators, with no Senators, with anyone he pleases to consult, so far as his power to make a nomination goes. When he comes to make an appointment, then he must have the consent of the Senate, and he does not make an appointment until he gets that consent. That is what we are to pass on now. If we approve, not the appointment, but if we approve the nomination, then the President is empowered, although he could not be compelled, to make the appointment when we have approved the nomination.

We ought to bear these two powers distinctly in mind. The Senate has nothing to do with nominations under the Constitution. It is up to the President to nominate, and he is absolutely supreme. He can discuss a nomination with a thousand people, if he so desires, and he can make the nomination without discussion with anyone. That refers to nomination.

When it comes to appointment the President must first get the consent of the Senate, and the Senators can consent or refuse to consent for any reason on earth. They can have a reason or no reason. It may be this or it may be that. But each Senator answers in his own breast for his own vote, and there is no power under the Constitution that can compel a Senator, when he casts his vote, to give a reason, whether it is a good reason or is not a good reason. He is not required to consult with anyone on earth.

I wish Senators would bear those two things in mind. We are talking about the Constitution, and under the Constitution the President is supreme, under the language I have read, in the making of a nomination. The Senate and the individual Senators who compose it are likewise supreme in giving their consent, and I am proceeding on that theory.

I know the question of a nomination being personally obnoxious has long been a binding rule with some Senators, and it is up to the individual Senators. I would not find fault with any Senator. He could remain silent and say nothing about it, but it is up to each Senator whether or not the objection that a nomination is personally offensive is good. When the objection is made and the evidence is taken, it is up to each Senator to say whether the evidence is sufficient upon which to base a charge of a nominee being personally offensive.

If I can, I wish to make myself perfectly clear on those constitutional provisions, because I think they are controlling. They have controlled me ever since I have been in the Senate, and I have never believed that I had a right to say that a man was personally offensive to me and that it followed that the nomination should be rejected for that reason. That is merely my idea of the matter. If any Senator has a different idea, I do not find fault with him or complain for a moment.

The President nominated Mr. Boyle, which, it seems to me, everyone must admit he had a perfect right to do. He nominated him without the recommendation of either of the Senators from Nevada, and still he was absolutely within his constitutional power. I think it is generally understood that nominations are made by Mr. Farley in reality, or perhaps the Attorney General, and the President merely carries out the recommendations; but I do not know, and I do not care. Therefore no one has violated the Constitution.

The evidence in the case shows that prior to this nomination, a little more than 5 years ago, when Mr. Roosevelt first became President, he had a nomination of United States attorney for the district of Nevada to make. The junior Senator from Nevada [Mr. McCARRAN] wanted a man by the name of Carville nominated. The senior Senator from Nevada [Mr. PITTMAN] wanted a man by the name of McKnight nominated. When the senior Senator found that the junior Senator felt that McKnight was personally offensive to him, he investigated, and concluded that the junior Senator was correct, that he had reason to believe that McKnight was personally offensive. The result was that the senior Senator from Nevada withdrew his recommendation in favor of McKnight, and that took McKnight out of the picture. Later on, before the nomination was made, the senior Senator joined with the junior Senator, and they agreed in recommending Carville. Mr. Carville served for 2 years, as I recall, and with distinction, according to the evidence, though I think much of it might have been immaterial, and if a court had been passing on it, it might have rejected it all.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McCARRAN. Judge Carville served the full 4 years.

Mr. NORRIS. Yes; I said 2 years, but I should have said 4, because the term was for 4 years.

To my mind, when Mr. Carville was not reappointed, the administration made a mistake. I think the junior Senator from Nevada recommended Mr. Carville for reappointment. He had made an admirable record. There was very important litigation tried. I know nothing about it except what the evidence shows, but the evidence showed that he made a remarkable record, entitling him, in my judgment, to reappointment on his record. But he was not reappointed. He became a candidate for Governor, was nominated and elected, and is now Governor of Nevada. As I see it, that eliminates him from the picture.

Mr. BONE. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BONE. Perhaps this question is not wholly germane to the matter before us, but since the Senator has served in this body as a distinguished Member of it for many years, and has referred, in passing, to the matter of reappointment of a man who has faithfully and efficiently discharged the duties of his office, I wish to ask the Senator now whether he thinks it is wise to reappoint a man who has served efficiently in a public office, against whom there is neither a breath of scandal nor any charge of inefficiency. As a general thing, does the Senator think it the wise, the just, and the proper thing to reappoint him, there being no charges against him?

Mr. NORRIS. I think so.

Mr. BONE. I am not attempting to color any discussion of the pending matter with this question. It is a side issue, to be sure.

Mr. NORRIS. If this matter were presented to me today as a question between Carville and any other man, even though he might not be as good an attorney—although he

was good enough to make a wonderful record—I would be in favor of Mr. Carville. But I do not think that question is in this case.

Mr. BONE. I did not ask the question as having even the remotest bearing on this particular matter. I merely wanted to get the Senator's judgment as to what he thought was a decent and proper course to be taken, for instance, by a party organization.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BARKLEY. Did I understand the Senator to say that the reappointment of Mr. Carville was agreeable to the two Senators—

Mr. NORRIS. Oh, yes.

Mr. BARKLEY. Or that they recommended it?

Mr. NORRIS. The junior Senator from Nevada [Mr. McCARRAN] recommended his reappointment. The senior Senator from Nevada [Mr. PITTMAN] has told the Senate why he did not do so. However, he stated then, and he now will admit if he were asked the question, that Mr. Carville made a very fine record and was a very efficient United States attorney.

Mr. BARKLEY. Under those circumstances I am a little at a loss to understand why the Department—I suppose it would be the Attorney General—did not recommend to the President that Mr. Carville be reappointed, but that a man be appointed who was not acceptable to either of the Senators.

Mr. NORRIS. I do not know about that. I suppose Mr. Farley had his reasons.

Mr. McCARRAN. Mr. President, will the Senator yield so I may answer the question from the record?

Mr. NORRIS. Yes; I yield.

Mr. McCARRAN. I will answer the Senator's question from the record as best I can. I refer now to page 62 of the printed hearings. On July 13, when the President's train passed through Nevada, the secretary to the President, Mr. McIntyre, left the train momentarily and conversed with an acquaintance of his on the platform at Sparks, Nev., which is a division point at which the President's train stopped, and his friend inquired of Mr. McIntyre, "Why was not Judge Carville reappointed?" Mr. McIntyre's answer was, "To take a slap at Pat."

That is the record undenied.

Mr. NORRIS. Yes. I myself do not think it demonstrates anything. If Mr. Carville were still available for the position, and if our rejection of the present nominee would result in putting Mr. Carville into the office, I concede that such action would be well to take, and I would favor taking it. I have never hesitated to say that I thought the administration made a mistake when it failed to reappoint Mr. Carville. However, for reasons which I do not believe are fully explained by what the Senator has said, Mr. Carville was not reappointed. Perhaps there are reasons of which I know nothing. However, it is not within our power to remedy the situation either under the Constitution or outside the Constitution, as I view the situation.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. PITTMAN. I wish to read from the record as follows:

Mr. KEENAN. I was asked to look in the record by the Attorney General.

Senator PITTMAN. Did you consider Boyle's appointment a better appointment than Carville's?

Mr. KEENAN. I hadn't got to that. That record was searched, and as reports were made to me there was no question whatsoever but what Mr. Boyle was distinctly superior and an abler man, and so known in his own community, and had an excellent record at the bar; and we felt he would be an abler man at the bar than Judge Carville.

Mr. NORRIS. Mr. President, as I said a while ago, I thought Judge Carville, on his record, should have been reappointed, even though he was not the ablest attorney who might have been gotten for the office. I may be entirely wrong about that. That is only my idea. I feel that a man who has made an able and faithful record under some very difficult circumstances, as Mr. Carville did, should have been reappointed as a reward for faithful service. Mr. Keenan said Mr. Boyle is a better attorney than Mr. Carville. I

do not agree. They are both qualified from the legal standpoint to fill the office. The evidence shows that distinctly and without question.

However, Mr. Boyle was appointed. Suppose we should reject him. That will not result in the appointment of Mr. Carville. If the President appointed Mr. Carville now he would not take the position. He is now Governor of Nevada. The evidence shows that Mr. Boyle, the nominee, stands without a single blemish; that he is one of the ablest attorneys of the State. Mr. Keenan thought he was a more able attorney than Mr. Carville, and he gives that as the reason for Mr. Boyle's selection. However, all that is past and gone, as I see it, and whatever wrong was done cannot be remedied now.

There is not a scintilla of testimony in the record tending to dispute the evidence that Mr. Boyle is one of the ablest attorneys in the State of Nevada, and that he is fully qualified for the position. He is recommended by every member of the supreme court of the State, by every district judge in the State, and by organizations of all kinds, and there is not a line from anyone objecting to him or questioning his qualifications.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. WHEELER. The Senator spoke of the Constitution. I agree with the position taken by the Senator with regard to the constitutional provision. However, even though the Senate of the United States were to reject the nomination, it would not imply that there was any blemish on his character, or that there was anything against him. Does the Senator take the position that because under the Constitution the President of the United States has the power to appoint someone who may be obnoxious to one Senator or both Senators of his State, the President should use the power which he has in order to punish a Senator because of a vote which he may have cast in the Senate?

Mr. NORRIS. No; I do not say that, and there is no evidence before us that the President made the appointment to punish anyone. The evidence, in fact, is to the contrary.

Assume that Senators were to draw the conclusion, however, from the evidence, that the President did not want the junior Senator from Nevada reelected. Take that as a true assumption. Does it follow that whoever the President appoints to an office must necessarily be personally obnoxious to that Senator? Boyle did not seek the appointment. He did not go after it. I believe the Attorney General has wanted Boyle in that office ever since the beginning of the present administration. I think that is true, although the record does not show it.

Mr. WHEELER. The senior Senator from Nevada said it was not the Attorney General who wanted Mr. Boyle in office, but it was Mr. Farley.

Mr. NORRIS. That is what I meant. Did I say the Attorney General?

Mr. WHEELER. Yes.

Mr. NORRIS. I meant Mr. Farley.

Mr. WHEELER. Does the Senator think the Postmaster General, whoever he may be, should dominate the patronage and the appointments in the State, and ignore the Senators from that State?

Mr. NORRIS. No; I do not think he ought to dominate them, but Mr. Farley is chairman of the national committee of the Senator's party. In all parties I know anything about, a man holding such a position has had great influence; and I suppose we must all admit that that is the way in which Federal officials are very often appointed.

Mr. WHEELER. In the 16 years I have been a Member of the Senate I have not known the Postmaster General of the United States to name appointees in a particular State over the objection of either one of the Senators. Perhaps it has been done; but, if so, it has never been called to my attention during my service in the Senate.

Mr. NORRIS. I have known it to happen. The Senator from Nevada called attention to the Rublee case. I was in the Senate when that case arose, and participated in the debate. I think it was during President Wilson's time.



Mr. WHEELER. Was not the Rublee case a different sort of case? It was the case of an appointment on the Interstate Commerce Commission.

Mr. NORRIS. No; it was an appointment on the Federal Trade Commission.

Mr. WHEELER. It has always been recognized that a different rule applies to appointments outside the State from that applying to appointments within the State. The Senator will recall the Hanford MacNider case, which came before the Senate. That case came before the Senate when I first came here. Senator Brookhart was on one side, and Senator Cummins on the other. As I recall, Senator Brookhart objected on personal grounds to Hanford MacNider being appointed to some position. The Senate sustained Senator Brookhart as against Senator Cummins.

Mr. NORRIS. I do not have the same recollection as the Senator. I know there was such a case; and, of course, I was in the Senate when it occurred.

Mr. WHEELER. The Senate sustained Senator Brookhart.

Mr. NORRIS. I do not recall.

Mr. WHEELER. I can furnish the record.

Mr. NORRIS. If the Senator says it is true, I will accept his statement; but I have no recollection of it.

I do not wish to take up very much time. As I see it, no objection was made to Boyle by either Senator, personally or otherwise, until after the committee was in session and had commenced the hearing, when the junior Senator from Nevada announced that the appointee was personally offensive to him. Mr. Boyle has testified on the stand—and his statement is uncontradicted—that he supported the junior Senator from Nevada in the primary and general elections, and that he had no enmity whatever against him. However, it was evident from what Boyle said that the junior Senator from Nevada had some enmity against Boyle, because Mr. Boyle said the junior Senator from Nevada did not speak to him when he accosted him on the street.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McCARRAN. Is not the Senator from Nebraska overlooking the telegram placed in the Record from the Governor of Nevada, who was formerly district attorney?

Mr. NORRIS. No; I have a distinct recollection of it.

Mr. McCARRAN. In the telegram the Governor states positively that Boyle stated to him in his office that Boyle and the junior Senator from Nevada were enemies.

Mr. NORRIS. Yes. Boyle does not agree to that. That was long before this contest arose. I am assuming that whether he remembers it or not, probably both felt that they were enemies. In the campaign of the junior Senator from Nevada in the primary, which I understand was a bitter campaign, Boyle supported the junior Senator from Nevada. Then came the general election, and Boyle supported the junior Senator from Nevada for election. If they were enemies, it seems to me that such conduct certainly ought to have blotted out any enmity. Even if the Governor was correct in his telegram, it seems that such feeling did not control Boyle. He was broad-minded enough to forget it all and support the junior Senator from Nevada in the two campaigns, the primary and the general election.

Mr. WHEELER. What evidence is there that Boyle supported the Senator?

Mr. NORRIS. Boyle himself testified to it. There is an affidavit to that effect.

Mr. WHEELER. He said he voted for the Senator.

Mr. NORRIS. No; he supported the Senator. There is an affidavit to that effect.

Mr. WHEELER. Any man may say, "I supported John Smith." Persons have told me that they supported me, when I happened to know, as a matter of fact, that the record showed that they did not vote for me. After election everyone says he supported us.

Mr. NORRIS. Perhaps it is all a lie. However, there is nothing to intimate that Mr. Boyle is not a very high-class man. He has testified that he got Farley to do some work in support of the junior Senator from Nevada.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McCARRAN. The attitude of Mr. Boyle is very much like the old jingle which runs something like this:

The devil was sick, the devil a monk would be;  
The devil was well, the devil a monk was he.

When Mr. Boyle thought I would be defeated, he was against me; but when I was returned to the Senate, he said he was for me.

Mr. NORRIS. The Senator is now testifying. He had an opportunity to testify before the committee. This is the first time I have ever heard anything of that kind against Boyle. I was favorably impressed by him. In all the recommendations—and there are stacks of them—there is no intimation from anybody or any organization that there is anything wrong with Mr. Boyle. Everything points to the conclusion that he is a competent, able, efficient, and high-class man.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. PITTMAN. May I read the evidence on that point?

Mr. NORRIS. Very well. If the Senator will wait a moment, I shall have concluded.

Mr. PITTMAN. I think this is a good place to read the evidence.

Mr. NORRIS. Very well.

Mr. PITTMAN. I read the affidavit of Al Marlia:

STATE OF NEVADA,  
County of Washoe, ss:

Al Marlia, being first sworn, says: That he is a citizen of the United States and over the age of 21 years; that he regards Pat McCarran as one of his best friends, that he has known William S. Boyle for many years and regards him likewise as one of his best friends; that he personally knows that William S. Boyle supported Pat McCarran in the primary and general elections of 1938 and particularly among the Italian people whom Al Marlia was associated with as president of the Sons of Italy in Sparks, Nev.

AL MARLIA.

Subscribed and sworn to before me this the 22d day of March, A. D. 1939.

W. B. SHAER, Notary Public.

Al Marlia is also president of the Catholic Society of Reno.

One other letter, and I shall have concluded:

BATTLE MOUNTAIN, NEV., April 30, 1939.

HON. KEY PITTMAN,  
Chairman of Subcommittee, Washington, D. C.

DEAR SENATOR: In regard to the controversy over Billy Boyle, I do not understand what it is all about, but on his behalf I want to say this. I was in Austin with him during the campaign and on several occasions due to the fact that he was appointed in Governor Carville's place as United States attorney.

In other words he was put on the spot as to what stand he was going to take in regard to Carville for Governor and McCarran for Senator. In every case he declared his unqualified support for Carville and McCarran. And in all cases stated he was ready to take the platform and campaign for them at any time.

In regard to his legal ability, I think Mr. Boyle takes his position ranking with the very best in our State. I am of the firm belief there is some gross misunderstanding as to Billy's loyalty to our party and to the candidates above mentioned.

I earnestly solicit your consideration of his past services before taking serious action, which I think would be gossip, in fairness to Mr. Boyle and the State Democratic organization.

Trusting you are well and with kindest regards from Mrs. Shovelin and myself.

Yours very truly,

(Signed) DAN F. SHOVELIN.

Everyone admits that Dan F. Shovelin is one of the most prominent men in the State. He is a friend of Boyle, a friend of the junior Senator from Nevada, and a friend of mine. None of us would question his word.

Mr. NORRIS. Mr. President, just a word more.

Suppose we should reject the nomination. What position would we be in? The President would have to make another nomination. If we should reject this nomination because prior to this time the President was unfavorable to the reelection of the junior Senator from Nevada, would we not be in the same position when another nomination came along? If we should carry the thing to its logical conclusion, I think in effect we would be amending the Constitution of the United

States and driving the President into a position in this case in which he would have to seek the favor of the Senator and obtain his consent before he could send to the Senate the nomination of any man who would stand any chance of confirmation if the Senator makes the same objection. Furthermore, if this objection is made because of what happened back in the campaign when it is said the President was trying to defeat the junior Senator from Nevada, will not the same principle apply to everybody else? If that is a good reason for making this objection to Boyle, it would be a good reason for making it against anybody the President might appoint. The result would be that we should get nowhere. We should get out on a limb where, if our action was correct and logical, we should have in effect, as I have said, amended the Constitution of the United States.

Mr. President, may I say just a word about this situation? It is embarrassing to me, of course. I am on the best of terms with the junior Senator from Nevada. I would not do him an injury for anything in the world. I have admiration for him, and it would be an easy thing to go along with him in this matter. I would not have gotten into the fight if I had not been pushed in so that I had to act officially. I have taken the same position ever since I have been in the Senate. I have opposed being governed by this kind of a rule. At least, I have taken the position that the ground of personal obnoxiousness would not control me. I have done so under both parties. I am now taking a position which does not differ from that which I have taken for nearly 30 years, ever since I have been in the Senate. It is sometimes embarrassing; but I feel, under my conscience, that it is the only thing I can do, and that any other rule, if carried to its logical conclusion, would make the President of the United States absolutely subject to the control of Senators. His hands would be tied, and he could not do anything unless his action was approved by the Senators from the State concerned.

It would not always happen that way, of course; but if we follow out the principle to its logical conclusion, I see no other outcome to it.

This sort of thing has occurred to me. Since I have been in the Senate men have been appointed to positions in my own State whose greatest qualification was that they hated me. A certain Member of the House was building up a machine all the time to get my place, and dozens and dozens of postmasters were appointed primarily on the ground that they would become part of the machine to fight me. I never once raised this objection, however. I never once said a word about the matter in the Senate. If in my judgment the nominees were qualified, I kept still and let their nominations go through. I tell you, Mr. President, life is too short to try to borrow trouble that we can just as well avoid, and we will feel better the next day after we have avoided it.

It seems to me we shall be making a great mistake if we let this rule control our official action, especially when, as I believe in this case, there is absolutely no ground for calling the rule into existence.

Mr. McCARRAN. Mr. President, I shall detain the Senate only a minute, because the hour is late. I shall deal with the record and nothing but the record.

The record shows that on the 13th day of July 1938, during the primary campaign, the President's train passed through the State of Nevada. The secretary to the President was asked why the district attorney who had served so ably and well was not reappointed. Let me say that that district attorney had made a Nation-wide record, a record that extended from the Atlantic to the Pacific, because of the peculiar nature of the cases with which he was called upon to deal. The secretary to the President, Mr. McIntyre, replied that the district attorney was not reappointed to "take a slap at Pat," meaning the junior Senator from Nevada.

On the very same day the President in that train is alleged to have made, and does not deny having made, a statement which was published through the press of Nevada to the effect that he wanted me defeated. My opponent in the primary used the President's language and published it every-

where. Clippings from the newspapers of Nevada were sent by the chairman of the Democratic State committee to the President, with a letter asking him whether or not he had made the statement, and to that letter the President made no reply, save and except that he acknowledged the receipt of the letter.

Prior to that, and in June of the year before, it is asserted by the now Governor of Nevada, Mr. Carville, who was then United States district attorney, that Mr. Boyle made the statement to him, though it may be denied, that McCARRAN and he (Boyle) were enemies.

So I say there was a conspiracy in which my archenemy, the man who had declared to the district attorney of Nevada that he was my enemy, was selected for appointment over a man who was outstanding in the Nation—outstanding because of his ability as a prosecutor. He was laid aside; he was repudiated, as well as I was repudiated. It was done to take a slap at me, and Boyle entered into that conspiracy, and has carried it on ever since.

Oh, he may come before the Judiciary Committee and say now that he was my friend. If he had been my friend, he would have been my friend in 1937, when he declared to the now Governor of Nevada that he was my enemy. Men do not make such declarations unless they come from the heart. The bitterest enemy I had in Nevada was selected, for what reason? To take a slap at me at a time when throughout the length and breadth of Nevada there was being published the most scurrilous stuff, as it is set out in this record, attacking me because I knelt at a shrine to which my mother led me—attacking me on every ground that my enemies could think of—and this man now says he voted for me and worked for me. He had declared himself to be my enemy, and he never publicly opened his mouth during that campaign so far as I know.

Mr. PITTMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to his colleague?

Mr. McCARRAN. I yield.

Mr. PITTMAN. I think the Senator will agree that Mr. Boyle testified that he took up the matter with the Knights of Columbus, of which he is an active member, and they thought it would be better not to answer the attacks.

Mr. McCARRAN. Mr. Boyle testified in substance as the senior Senator from Nevada states.

Let me clarify this matter with one sentence. There is no personal feeling between the senior Senator and the junior Senator from Nevada on this matter. Neither one of the Senators from Nevada recommended Mr. Boyle. We have gone through this entire matter and will go out of it just as we have done for 30 years, during which time I have supported the senior Senator from Nevada on the platform and otherwise. We will close this matter with no impairment of my regard and respect for the senior Senator from Nevada and his fairness. He has done his best here to sustain an unfortunate situation; but that does not take it out of my heart. You cannot force something down into the heart of a man when he knows that to confirm this appointment means a slap at me, as the secretary of the President declared.

I bring it home to the Members of the Senate who are present tonight. When will the hour come when you will stand as I stand here, and what will be your request on that occasion?

I ask only that this nomination be rejected.

Mr. HATCH. Mr. President, as a member of the committee I wish to say just a word in explanation of how I shall vote, which will be exactly as I voted in the committee.

In the committee I stated my views, which are the same as those which the Senator from Nebraska has so ably expounded this afternoon. It had been my intention to discuss the constitutional aspects of the situation somewhat at length, but observing the clock, I do not feel like going into the constitutional phases of the question at this time.

I wish to make the statement that my vote is based purely upon the constitutional phase of the question.



Mr. WHEELER. Mr. President, so far as the constitutional question is concerned, I fully agree with the Senator from Nebraska; but I wish to call attention to the fact that the Senate should not confirm the nomination of this man, and I feel quite keenly about the matter because of similar situations which have arisen in my State.

After the court fight began, men came to my State and stated that the President had told them to do certain things, for instance, they said he told them to come out and "kick hell" out of me. That was never denied. In addition to that, they picked out and appointed to office a man who was running a newspaper, and who was constantly making vicious attacks against me. If they did that to me, they would do it to someone else.

If we confirm this nomination, I think it will be a reflection upon the Senate of the United States. It is not only a question of the particular individual who is here concerned, but it is the policy that is being adopted in some of these instances which should have our attention.

I submit that the Senate should not confirm appointees who are personally obnoxious to either of the Senators from a State, I do not care who the appointee is, or what he is. We should not confirm appointments if the appointments are personally obnoxious to either of the Senators; and, so far as I am concerned, that applies whether a man is a Republican or a Democrat. During the Hoover administration, the President was about to appoint a Republican from my State to the Interstate Commerce Commission. I went to the President and told him that the man was personally obnoxious to me, because he had personally attacked me, not only in campaigns, but in private conversations. Mr. Hoover refused to send the name in, notwithstanding the fact that he had intended to appoint the man previous to that time.

So far as I am concerned, if any Republican came to me in my State and said, "This man who has been appointed as a United States marshal, or to some other office, is personally obnoxious to me," I certainly would not recommend him, and I would not appoint him.

I think the Senate should not confirm this nominee, under the circumstances.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The question is, Will the Senate advise and consent to this nomination?

Mr. PITTMAN. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. PITTMAN. I ask for a division on the vote.

On a division, the nomination was rejected.

#### FEDERAL COMMUNICATIONS COMMISSION

The legislative clerk read the nomination of Paul A. Walker, of Oklahoma, to be a member of the Federal Communications Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. LEE. Mr. President, I ask that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

#### FEDERAL WORKS ADMINISTRATOR

The legislative clerk read the nomination of John M. Carmody, of New York, to be Federal Works Administrator. The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Louis G. Dreyfus, Jr., of California, to be Envoy Extraordinary and Minister Plenipotentiary to Iran.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Paul H. Alling, of Connecticut, to be foreign service officer of class 4, a consul, and a secretary in the Diplomatic Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc. That completes the Executive Calendar.

#### LEGISLATIVE SESSION

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6791) making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. TERRY, and Mr. POWERS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6970) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR of Colorado, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. THOMAS S. McMILLAN, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER were appointed managers on the part of the House at the conference.

#### ANNUAL ASSESSMENT WORK ON MINING CLAIMS

Mr. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 6977, relating to annual assessment work on mining claims. This is an emergency matter, and must be acted upon, because the time in which the bill must be passed will expire tomorrow.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 6977) to extend the time within which annual assessment work on mining claims held by location in the United States may be commenced, for the year commencing at 12 o'clock m., July 1, 1938, which had been reported from the Committee on Mines and Mining with an amendment, on page 2, line 1, after the word "meridian", to strike out "October" and insert "September", so as to make the bill read:

*Be it enacted, etc., That to comply with the provisions of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, it shall be sufficient, for the year beginning at 12 o'clock meridian, July 1, 1938, if such work or improvements are in good faith commenced on or before 12 o'clock meridian, September 1, 1939, and prosecuted with reasonable diligence to completion.*

Mr. AUSTIN. Mr. President, I have examined the bill and the report on it, and, so far as I am concerned, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## MONUMENT TO THE PEOPLE OF GREECE

Mr. MINTON. Mr. President, I ask unanimous consent for the immediate consideration of calendar No. 657, House Joint Resolution 294.

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 294) providing for the presentation through the American Minister to Greece of a certain monument to the people of Greece.

Mr. LA FOLLETTE. Mr. President, let the joint resolution be read.

The PRESIDING OFFICER. The Clerk will read.

The joint resolution was read, as follows:

*Resolved, etc., That the President is authorized and requested on behalf of the Order of the Sons of Pericles (the Junior Order of Ahepa), a national fraternity of youthful American citizens of Hellenic descent, to provide through the American Minister to Greece for the presentation to the people of Greece of the monument recently erected in the Garden of Heroes at Missolonghi, Greece, the shrine of Greek independence, as a tribute to and in commemoration of those patriotic Americans who, aided by the moral and material support and assistance of the entire American people, gave their services, their fortunes, and their lives to the cause of Greek independence in the Greek Revolutionary War of 1821.*

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

## ADJOURNMENT

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until tomorrow, Friday, June 30, 1939, at 12 o'clock meridian.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate June 29, 1939*

## DIPLOMATIC AND FOREIGN SERVICE

Louis G. Dreyfus, Jr., to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iran.

Paul H. Alling to be Foreign Service officer of class 4, a consul, and a secretary in the Diplomatic Service.

## FEDERAL COMMUNICATIONS COMMISSION

Paul A. Walker to be a member of the Federal Communications Commission.

## FEDERAL WORKS ADMINISTRATOR

John M. Carmody to be Federal Works Administrator.

## LIBRARIAN OF CONGRESS

Archibald MacLeish to be Librarian of Congress.

## APPOINTMENT IN THE REGULAR ARMY

## JUDGE ADVOCATE GENERAL'S DEPARTMENT

Joel Burlison Olmsted to be captain with rank from date of appointment.

## TO BE FIRST LIEUTENANTS IN THE MEDICAL CORPS OF THE REGULAR ARMY

Ralph Leon Marx	Richard Hamilton Brierley
Alton Herbert Saxer	Dear
Paul Charles Sheldon	James Wellington Brown
Roosevelt Cafarelli	Donald Eugene Reiner
Charles Kasile Morris	Howard Eugene Sellards
Leo Joseph Butler	Alva Edward Miller
Robert Scurry Anderson	Ralph Everett Reiner
Myles Patton Moursund	George Gilmore McShatko
William Henry Donovan, Jr.	Byron Atlee Nichol
Hallman Earl Sanders	Norman Elwood King
Wendell Playfair Harris	Austin W. Bennett
David Paul Ward	John Mayo Talbot
Francis Patterson Wells	George Savage Boyer
Frederick Clay Weekley	Rolland Bernard Sigafos
Wilbur Warren Hiehle	Richard Henry Schug
Everett Charles Freer	Robert Leonce Hullinghorst
Wolcott Loweree Etienne	Carl Neil Ekman
Kenneth Eugene Hudson	Laurence Addison Potter

To be second lieutenants in the Regular Army in the arm or service specified, with rank from date of appointment.

## Infantry

Elbridge Reed Fendall	John Irving Pray
Jack Alloyse Requarth	Joseph Bayne Sallee
Walden Francis Woodward	Gerald Hamilton Ragsdale
George Carpenter Dewey	Harry Balish
Albert William Frink	James Newton Shigley
Albert Joseph Genetti	Kenneth Earl Lay
Harold Edward Hassenfelt	Carl Thomas Schooley
William Robert Donaldson	Roger Martin Bachman
John William Gorn	Robert Allen Sharrer
Kurt Gustav Radtke	James Franklin Bishop
Robert Murphy Williams	George Benedict Cullison
Kenneth Gool Pavey	Glenn Taylor Beelman
Mylo LeRoy Heen	Jesse Price Moorefield
James Richard Myers	Kenneth Willard Kirtley

## Field Artillery

Robert Irven Beaver	Charles Pettingell Samson
Byron Benjiman Webb	Gene Sawyer Edwards
Raymond Harley Lumry	Homer Edward Miller
Lewis Dowe Vieman	Gordon David Bilat
Donald Francis Slaughter	Leonard George Jewett

## Chemical Warfare Service

Claude Jones Merrill

## Coast Artillery Corps

Bernard Richard Luczak	Murray Dean Dougan
William John Alphonse Hussey	Charles William Reeves
John Enos Wood, Jr.	Richard Farris Ludeman
Oliver Kenneth Marshall, Jr.	Calvin Oliver Smith

## Cavalry

Joe Ahee	Tom English Matlack
Leslie Hector Cross	Leo Gunnard Carlson

## Corps of Engineers

Duane David Davis	Julius Porter Faris, Jr.
Lawrence Merrill Hoover	Frank Albert Swatta

## Signal Corps

Robert Richard Christofk  
Glen S. Waterman

## Air Corps

Robert Mathias Krummes	Eugene Batchelder Fletcher
Edwin Bruce Miller, Jr.	Edwin Harley Hatch
Dale Donald Brannon	Dean Carrol Hoevet
Fred Thomas Crimmins, Jr.	Marvin Leonard McNickle

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

Harlan Thurston McCormick to be major.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES  
GENERAL OFFICER

Preston Alonzo Weathered to be brigadier general, National Guard of the United States.

## POSTMASTERS

## ALABAMA

William L. Mason, Attalla.  
Charlie L. Harris, Blountsville.  
Mabel C. Leigh, Brewton.  
Herman L. Upshaw, Eufaula.  
Clayton C. Baldwin, Fairhope.

## ARIZONA

John Campbell, Bisbee.  
Martha L. Davey, Clarkdale.  
Hubert P. Williams, Miami.

## ARKANSAS

Frank H. Milburn, Gravette.  
George H. Rule, Jr., Lonoke.  
William T. Sedberry, Montrose.  
Elmer Edward Cook, Stamps.

## COLORADO

Nina M. Weiss, Del Norte.



## DELAWARE

E. Reed Hughes, Felton.

## GEORGIA

David F. Bruton, Adel.  
Charles R. Brumby, Cedartown.  
Herman E. Malaier, Chattahoochee.  
John A. Baker, Danielsville.  
Moses J. Guyton, Dublin.  
Walter G. Hodges, Hartwell.  
Rosa L. Lindsey, Irwinton.  
Ruth C. Rountree, Lyons.  
Nell Raley, Mitchell.  
John Gordon Miller, Jr., Savannah Beach.  
George T. Groover, Statesboro.  
Jones R. Arnold, Thomson.

## INDIANA

William W. Houk, Brazil.  
Theodore Aldred, Lapel.  
Clement A. Kelsey, Markle.  
James R. Morrissey, Peru.  
Roy E. K. Bowen, Warsaw.

## IOWA

Mollie J. E. Kachelhoffer, Ackley.  
William S. Olexa, Batavia.  
Maude M. Hanna, Burt.  
John B. Taylor, Centerville.  
Wilbur H. Fishman, Cherokee.  
Max B. Bishop, Elkader.  
Martha E. O'Connor, Gilman.  
Frank M. Wheelless, Hopkinton.  
Paul J. Kehoe, Manchester.  
Anna L. Staudt, Marble Rock.  
Tracy R. Osborne, New Sharon.  
Ben Jensen, Onawa.  
Frank H. Peckosh, Oxford Junction.  
Andrew M. Simonson, Rolfe.  
Joseph C. Kinney, Stacyville.  
Elizabeth M. Hyland, Traer.  
Walter Ward, Wall Lake.  
Teresa V. Moroney, Waukon.  
Richard Claassen, Wellsburg.  
Hazel H. Gerdes, Wesley.  
Ben R. Shine, Winthrop.

## KANSAS

Ruskin R. Couch, Anthony.  
Floyd H. Gibbs, Barnard.  
John G. O'Neil, Beattie.  
Emma C. Strnad, Cuba.  
Vesta Velma McClung, Elkhart.  
Fred Sessin, Ellis.  
Robert E. Lee, Englewood.  
Horace E. Elder, Goodland.  
Harold P. Knipe, Grinnell.  
Ila M. Menefee, Hoxie.  
Michael A. Hilgers, Lansing.  
Hugo E. Lindahl, Lindsborg.  
George H. Gill, Raymond.  
Emmett E. Conzelman, Republic.  
Mary A. Neff, Winona.

## KENTUCKY

Laura V. Coleman, Anchorage.  
Lida H. Muir, Bloomfield.  
William T. Carlin, Buechel.  
Leslie West, Hopkinsville.  
Christine Alexander, Salt Lick.  
Milton T. Fullenwider, Shelbyville.  
William J. Smith, Stearns.  
Henry Harvey Denham, Vanceburg.  
Benjamin F. Beall, Warsaw.

## MAINE

John H. McSweeney, Old Orchard Beach.

## MARYLAND

William H. L. Slade, Reisterstown.

## MASSACHUSETTS

William A. Shay, Westminister.

## MICHIGAN

Frank E. Kroc, Alanson.  
Lewis E. Ledger, Belding.  
Roy Winegarden, Boyne City.  
Edna L. Mitchell, Morley.  
John C. Vaughan, Trout Creek.  
Jettena Watson, Wolverine.

## MONTANA

Arthur C. Coulston, Bainville.  
Helen P. Gibb, Belton.  
John W. Huntsberger, Sunburst.  
Clarence N. Simons, Turner.

## NEVADA

Milo W. Craig, Montello.  
Charles A. Leach, Wells.

## NEW MEXICO

Charlotte Kohlhausen, Cimarron.  
Major M. Hardin, Hobbs.

## NEW YORK

Arthur J. Lee, Bellmore.  
Sadie E. Hagan, Bloomingburg.  
Leroy A. Timmerman, Cairo.  
David J. Sheridan, Cambridge.  
Carlton A. Daigler, Clarence.  
George M. Lamb, Cocksackie.  
George H. Lewis, De Ruyter.  
Louise P. Danner, East White Plains.  
William E. Dorson, Gowanda.  
William P. Stevens, Greenville.  
J. Frank Schummer, Hamburg.  
Cort Kramer, Holland.  
Robert A. Dolan, Hunter.  
Emil J. Bruger, Islip Terrace.  
Catherine M. McConnell, Machias.  
Claude B. Isbell, Mount Upton.  
John Flinn, New Hyde Park.  
Benjamin Lomench, North Bellmore.  
Anna W. Wohlgemuth, Palatine Bridge.  
James H. Vaughn, Perrysburg.  
Edward Fennell, Savannah.  
Mark A. Sweeney, Valley Falls.  
Victor J. Banfield, Van Etten.  
Frank T. More, Walton.

## NORTH DAKOTA

Benjamin Wright, Antler.  
Mildred B. Johnson, Ashley.  
Ralph E. Ulrich, Balfour.  
Robert L. Peterson, Bisbee.  
Ernest W. Kibler, Cavalier.  
Alice M. Sorlie, Churchs Ferry.  
Mary M. Hoesley, Crystal.  
William F. Moede, Dunn Center.  
Edward Lian, Fairdale.  
Nels A. Anderson, Finley.  
Carl Solberg, Hatton.  
Eivind L. Semling, Hazleton.  
Albert E. Funk, Hebron.  
Alf A. Ringen, Kindred.  
Oscar Lange, Kulm.  
John H. Bellon, Lehr.  
Anna M. Wagner, Lidgerwood.  
James E. Jones, Lisbon.  
Frank S. Hudson, Mandan.  
William G. McBride, Milton.  
Peter Meier, Napoleon.  
Frederic H. Palmer, Page.  
Sydney A. Smith, Portal.  
Joseph G. Kringlie, Portland.  
Paul G. Wagner, Sentinel Butte.  
John M. Klein, Strasburg.  
Grace C. Wheeler, Tower City.

## OHIO

Floyd L. Carr, Bedford.  
Walter P. Guenther, Glenmont.  
William E. Alexander, Spring Valley.

## OKLAHOMA

Otto M. Morse, Calvin.  
Mae Tedlock, Choteau.  
John W. Heinen, Okarche.  
Hugh Ferguson, Rocky.  
William W. Powell, Salina.

## OREGON

Neta Daly, Beaverton.  
Grace M. Ely, Gladstone.  
Alice J. Nebel, Glendale.  
Vincent Byram, Gold Beach.  
Charles B. Cox, Heppner.  
Margaret Marie Anderson, Jordan Valley.  
Russell H. Sullens, Prairie City.  
Lisle W. Tame, Talent.  
Luella B. Pinkerton, Weston.

## RHODE ISLAND

Andrew J. McKeon, Hillsgrove.

## SOUTH CAROLINA

William M. Thornton, Enoree.  
Glen O. Howe, Great Falls.  
Eva H. Groce, Lyman.

## SOUTH DAKOTA

Fayette A. Nutter, Alcester.  
Nicholas DeBilzan, Andover.  
Anna Donohue, Bonesteel.  
Berthold Flakoll, Bristol.  
Arthur P. Ingle, Harrold.  
August W. L. Trottnow, Menno.  
John P. Radley, Midland.

## TEXAS

James C. Erwin, Alto.  
Jenna Mae Easter, Anton.  
Marshall L. Felker, Avinger.  
Robert Rowntree, Bartlett.  
Richard E. Trenckmann, Bellville.  
Edmund T. Caldwell, Bovina.  
A. Burton Reagan, Brady.  
Earl B. Hopkins, Brazoria.  
Theodore A. Low, Jr., Brenham.  
Joseph H. Wright, Byers.  
John R. Hays, Cameron.  
Robert A. Goelzer, Chilton.  
Oscar G. Williams, Conroe.  
Alvin L. Clements, Copperas Cove.  
Charlie L. Pratt, Daingerfield.  
Tom B. Lenox, De Kalb.  
Walter E. Holloway, Detroit.  
Bessie B. Langford, Evant.  
Robbie G. Ellis, Fort Davis.  
Henry D. Young, Fort Worth.  
Sloan H. Osborn, Friona.  
Melmoth Y. Stokes, Jr., Goldthwaite.  
James Littleton Tally, Goliad.  
Joseph Kopecky, Hallettsville.  
R. Lawrence Brucks, Hondo.  
Eldon C. Wade, Jayton.  
Richard Hubbard Lemmon, Jefferson.  
Ray H. Griffin, Kosse.  
Harry H. Mann, Levelland.  
James Alexander Able, Melvin.  
Jesse Royce Thigpen, Omaha.  
Edith M. Coffey, Richland Springs.  
Fordyce C. Woodward, Santa Anna.  
Milner T. Cain, Seagraves.

## UTAH

Theresa R. Taylor, Garfield.

## VIRGINIA

Gertrude C. Ligon, Amelia Courthouse.  
John Hoge Woolwine, Blacksburg.  
Lavone A. Baker, Cartersville.  
Newman M. Conant, Chincoteague Island.  
Jane M. Mason, Colonial Beach.  
Robert B. Spencer, Dillwyn.  
Charlie S. Farmer, Jetersville.  
Joseph L. Blackburn, Kenbridge.  
Thomas E. Warriner, Lawrenceville.  
William C. Whitmore, Leesburg.  
James M. Shannon, Mount Jackson.  
Ward S. Atkinson, Shawsville.  
Marion W. Sherman, Shipman.  
Edwin J. Shuler, Stanley.  
Robert E. Fifer, Staunton.  
Jessie R. Stanley, Stanleytown.  
Clifford E. Hardy, Victoria.  
William T. Fosque, Wachapreague.  
Benjamin N. Hubbard, White Stone.

## WISCONSIN

Bert J. Walker, Almond.  
Eben R. Hanson, Baileys Harbor.  
Andrew J. Osborne, Barron.  
Frank W. Flanagan, Bear Creek.  
Marguerite Irene Knapmiller, Birchwood.  
Fred Martin, Brantwood.  
Willis Engebretsen, Eagle.  
Bernard L. Slota, Gilman.  
Ferdinand A. Nierode, Grafton.  
William F. Schreiber, Hales Corners.  
Louis G. Bernier, Holcombe.  
Johan Gustav Adolph Mollenhoff, Iron River.  
Michael B. Weyer, Lomira.  
William C. McLaughlin, Merrill.  
Gustave V. Anderson, Ogema.  
Laurence L. Shove, Onalaska.  
Willard Dirkse, Oostburg.  
Louis O. Mueller, Portage.  
Cleveland N. Akey, Port Edwards.  
Laura H. Culver, Pound.  
Tillie E. Brennan, Valders.  
Edmund O. Johnson, Warrens.  
Marnell E. McCloskey, Wauzeka.  
Rosella M. Anderson, Wheeler.  
Albert L. Brossard, Winnebago.

## REJECTION

*Executive nomination rejected by the Senate June 29, 1939*

## UNITED STATES ATTORNEY

William S. Boyle to be United States attorney for the district of Nevada.

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 29, 1939

The House met at 11 o'clock a. m.

The chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou, in whose presence the ages are hourless, out of the vastness which is Thine, impart unto us needful wisdom and understanding. We pray for that stillness of spirit which banishes before it feeble fears with their impotence and ills; O Soul of our souls, urge us upward that we may find ourselves in Thee. Thou who art Thyself the perfect reward of all toil, all sacrifice, and all agony, we beseech Thee to teach us the royal way of living by inspiring in us pure desires and from our lips clean words; forbid that we should take Thy holy name in vain. O Master of the hidden flame, let the measureless wings of Thy love and mercy



shadow us and Thy Holy Spirit revive the deepest undertones of our immortal souls. In the Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. FRAZIER, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2618. An act to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 326. Joint resolution making appropriations for work relief, relief, and to increase employment by providing loans and grants for public-works projects for the fiscal year ending June 30, 1940.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL, 1940

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5610) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1940, and for other purposes, with Senate amendments, further insist upon the disagreement of the House to the amendments of the Senate numbered 1, 59 to 71 inclusive, and 101, and agree to the further conference asked by the Senate, and that conferees be appointed.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COLLINS, CASEY of Massachusetts, MAHON, STEFAN, and CASE of South Dakota.

#### AMENDMENT TO HOUSE RESOLUTION 152

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts I submit a privileged resolution for immediate consideration.

The Clerk read as follows:

#### House Resolution 235

Resolved, That House Resolution 152 of the present Congress, adopted April 5, 1939, is hereby amended by striking out the sum "\$25,000" where it appears in section 1 thereof and inserting in lieu thereof the sum "\$125,000."

With the following committee amendment:

In line 4, strike out the figures "\$125,000" and insert in lieu thereof "\$100,000."

The amendment was agreed to.

The resolution was agreed to, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record by inserting in the Appendix a brief statement of H. B. Ellison, financial editor of the Christian Science Monitor.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an article written by Mr. Ray Smith, of Indianapolis, Ind.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein an article on the subject of neutrality.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record, and to include therein a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

#### THE N. L. R. A., THE N. L. R. B., AND P. W. A.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

Mr. HOFFMAN. Mr. Speaker, may I have the attention of the gentleman from Pennsylvania [Mr. ALLEN], who expressed an interest when I spoke on June 23—RECORD, page 7798—and referred to the situation existing in Somerset County, Pa., where men asking for jobs on the construction of a turnpike which was being financed by State and Federal funds were asked to pay a union membership fee of \$15 and monthly dues before they could be put to work.

My further statement was to the effect that men were not permitted to work on these jobs, although they were relief propositions, until they joined a union.

Some doubt was expressed as to the accuracy of my information, although the editorial put in the Appendix on that same day disclosed the facts to be as stated by me.

This morning by wire I learned that my analysis of the situation was correct. It appears that on June 15, John R. Frankel, general counsel of the A. F. of L. in Pittsburgh, gave a statement to the Associated Press to the effect that P. W. A. had refused to recognize the Somerset County Independent Construction Workers Association, the independent union, as a referral agency, and that contractors observing contracts with the Somerset County Independent Construction Workers Association would not be paid.

Further information discloses that at present, under one construction contract, men are denied work unless they belong to the A. F. of L. affiliate; that, under three other contracts, men are denied work unless they belong to the Somerset County Independent Construction Workers Association, the independent union. Work has not been started under any other contracts.

When the Associated Press statement came out, quoting Frankel as authority for the statement that the independent union would not be considered as a referral agency, the C. I. O. started an organizing campaign in an endeavor to oust the A. F. of L., and the independent workers were thus forced to form an independent union, which they did.

At the present time, it is apparent that no one can obtain work on the construction of this turnpike unless he belongs to some union, and the independent worker is thus caught between the jurisdictional fight between the A. F. of L. and the C. I. O. and forced in self-defense into a position where he is required to pay either one or the other a membership fee and dues or form his own union and pay membership fees and dues.

It is my contention that men who work should be free not only to bargain collectively but to join or not to join a union and that at no time in this country of ours should any man be required to join any organization in order to obtain work upon a relief, or, for that matter, any other job.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. ALLEN of Pennsylvania. I think it is improper that any worker should be obliged to pay before he is given a job.

Mr. HOFFMAN. Then I hope the gentleman will join me in bringing the National Labor Relations Act out for amendment for, under the act as interpreted and administered by the Board, the independent worker, the employee who does not wish to belong to a union, is not protected.

One amendment proposed by me was to section 7 and added the four words, "or not to join", so that the provision read that an employee should be free to join or not to join a union, thus making it clear that coercion, intimidation, and force should not be used to restrict the freedom of any American citizen, nor to permit the levying of tribute upon the man who toils.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Philadelphia Record.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from one of my prominent State papers, the Charlotte Observer, on neutrality.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a prize-winning essay of 50 words written by an academy student of the Western Illinois State Teachers College, which is quite apropos the pending legislation.

The SPEAKER. Without objection, it is so ordered.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial of a nonpartisan nature.

The SPEAKER. Without objection, it is so ordered. There was no objection.

#### RED INK DEFICIT OF THE UNITED STATES GOVERNMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, I want to call your attention to the red ink that is being used by the United States Government. In 1933 we used red ink to the extent of \$1,784,000,000; in other words, our deficit for the year was that amount. In 1934 we were in the hole to the extent of \$2,895,000,000; in 1935 the red ink was to the extent of \$3,210,000,000; in 1936 our red ink was to the extent of \$4,550,000,000; in 1937 our red ink or deficit was to the extent of \$3,143,000,000. Mr. Speaker, in 1938 we used red ink to the extent of \$1,384,000,000, and in 1939 the red ink you will use to the extent of \$3,500,000,000. Horrible, terrible, nation wrecking, unsound, and unwise.

Mr. Speaker, just think of the red ink that this New Deal administration has been using. Never in the history of the world have we ever approached such astounding figures. The situation is terrible and we should stop it immediately. Something should be done to change the rules, regulations, and laws of the New Deal or else America will be wrecked.

Mr. Speaker, I say to you, I say to the majority leader, and I say to the chairmen of the various important committees of this House you ought to stop the use of this red ink.

Mr. Speaker, I accuse this present administration of the same and worse administration of affairs, worse than that when President Roosevelt made the statement at Sioux City, September 29, 1932, and I quote the President:

I accuse the present administration of being the greatest spending administration in peacetimes in all our history: one which has piled bureau on bureau, commission on commission, and has failed to anticipate the dire needs or reduced earning power of the people. Bureaus and bureaucrats have been retained at the expense of the taxpayers.

Mr. Speaker, that statement made by the President should make him bow his head in shame when he looks back over

the years of his own administration. How a man can have such a change of heart certainly shows up the man; certainly he cannot have a defense for such a change. If he has, let him inform America why he has changed so completely from 1932 to 1939. He promised a balanced Budget by 1936. Instead of that we are worse off today and getting worse every day. We must get sound men at the head of our Government or we will fail as our Constitution provides, and in that event, God save America.

[Here the gavel fell.]

#### APPROPRIATIONS FOR WORK RELIEF—1940

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 326) making appropriations for work relief, relief, and to increase employment by providing loans and grants for public-works projects for the fiscal year ending June 30, 1940, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection, and the Chair appointed the following conferees: Mr. TAYLOR of Colorado, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. THOMAS F. McMILLAN, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER.

#### NEUTRALITY ACT OF 1939

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 306, the Neutrality Act of 1939.

Mr. RAYBURN. Mr. Speaker, pending that motion, may I say that both the gentlemen from New York [Mr. BLOOM and Mr. FISH] feel that in order to take care of some Members who desire to speak in general debate, general debate should be extended 30 minutes, 15 minutes to be controlled by the gentleman from New York [Mr. BLOOM] and 15 by the gentleman from New York [Mr. FISH]; and I make that unanimous-consent request.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object, I would like to know the program for today? Is it the intention to press this bill to a vote tonight?

Mr. RAYBURN. It is.

Mr. MARTIN of Massachusetts. No matter what hour that may come?

Mr. RAYBURN. I would not want to stay here until 1 or 2 o'clock in the morning, but if we can reach a vote by 9 or 10 o'clock; yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. BLOOM].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 306, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, many times you have appeared before various committees to find two or three Members sitting in the hearings, which were considered more or less important. I want to tell you that for 3 months your Committee on Foreign Affairs has held hearings on this important piece of legislation, and usually from 80 to 90 percent of the membership of that committee was present. That at least should give us credit for having given due consideration to the pending legislation.



The objectives of any neutrality act, of course, are first to take care of the needs of our own people. That was the paramount objective of our committee. Second, to treat all nations alike. Into the American mind has come the feeling that neutrality means keeping us out of war. Those terms, however, are not at all synonymous.

I want the Members to bear in mind as I go along with my remarks the fact that the American people are demanding some kind of neutrality legislation for the express purpose of keeping us out of war. I am convinced the only reason that the Committee on Foreign Affairs held hearings as early as 1935 and passed a neutrality bill was because of the demand of the American public that we have something more than international law on which to rely in case the world again catches fire as it did in 1914. The present act is an evolution of the act of 1935. We have placed in the act something which I opposed, and which I will always oppose, a partial embargo. Whenever you have a partial embargo it is bound to be unneutral because no two nations are situated alike. It is no fault of ours that they are situated differently. Some have means of carrying goods across the sea. Some rely for their defense, let us put it, on submarines. Some have raw materials and some have not. We cannot hope to equalize the assets and resources of foreign nations, but we can do this: we can treat them all alike. When you place in a neutrality act a partial embargo it is bound to make you take sides with this group or that, the "have" or the "have not" nations. The present act has a partial embargo in that it embargoes what my friend the gentleman from New York [Mr. Fish] calls "lethal weapons," or death-dealing weapons. Do you realize there are seven categories of those weapons, seven different types of implements of war that have been placed in these lists that eventually have become embargoes against the belligerent nations?

There are only three types of nations and an embargo is bound to affect those three types differently. First we have the "have" nations. The "have" nations are those who do not lack for natural resources, raw materials. They are not bothered so much if we place an embargo on arms and ammunition because they have the raw materials with which to make them. Then there are the war-bent nations, the nations intending war or actually engaged in war, and you and I know what nations they are. Do you think for one moment they are going to rely for their implements of war on another nation's supplying them with the finished product? An embargo does not affect them. Is it not ridiculous to suppose that Germany today, with the Krupp works and the Skoda works, two-thirds of the great munitions works of the world outside of this country in their hands to produce implements of war and munitions of war, would depend on some other nation for its war supplies? Why, no. If I were a dictator, the first thing I would do would be to build arsenals to make my own implements of war.

So in the last analysis the only group of nations you are affecting by denying them implements of war is the poor, undefended, small nations like Holland, Belgium, and the Scandinavian countries, and those who are not in a position to have their own arsenals and munitions factories.

That is why I say the present act is unneutral to that extent. Do not misunderstand me. There are many fine things in the present neutrality act, such as the Munitions Board, which I am sure all people of whatever political belief are firmly convinced should remain in a neutrality bill.

To go further, many of you served in the Artillery during the World War. You know as well as I do that your 3-inch guns were the *soixante-quinzes* of the French Army. You did not use a single 3-inch gun from this country during the World War. Why? Because they made their own munitions over there. What did they need from us? The raw supplies, the materials which are not embargoed and never have been embargoed.

This is why I tell you it is so ridiculous to continue having in a neutrality act a partial embargo. It may sound appealing to the sensibilities of the American people to tell them

that we will not ship death-dealing implements, but we give the other countries the molds and the machinery and the raw materials, the acids, the cotton, the things they must have to build the implements of war.

Forgetting nations, whom are you discriminating against? You are discriminating against our own people. You are saying to the agricultural districts, "Go ahead; ship your wheat and your cotton"; but to your people in the East, in the manufacturing districts, you are saying, "Oh, you cannot do that. You cannot manufacture those things and send them away to other countries because they will be used as death-dealing instruments."

When you send implements of war abroad great care is required in handling and in packing. A great amount of space is taken up in ships. For instance, when you manufacture bombs or ammunition of all kinds, such as smokeless powder, and send it across the seas, a very large amount of space is required. Most of these implements have to be crated. But when you send these nations the raw cotton and the scrap iron and the oil, they are shipped in bulk and require fewer bottoms to transport the amount required. You are giving them the very things they need, not the things they do not need.

So, I say to you that the thing we are fighting today—and this is the meat of the coconut—is the arms embargo. We want to eliminate section 1 of the old bill and substitute therefor a new section which has no embargo on war materials.

I have tried to be consistent about this proposition. I did not support that feature of the present act but accepted it because it was the best neutrality bill we could get, and the American people demanded a neutrality act. If you want to keep war away from this country when the whole world is afire, in my opinion there is only one way to do it, and that is why I am an isolationist. You must actually put an iron ring around the Western Hemisphere and keep everybody out of there, but it cannot be done according to international law.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 additional minutes to the gentleman from California.

Mr. IZAC. If you will embargo everything I will go along with you. If you find Europe afire and you want to stay out of it there is one way to stay out of it that I know of, and even that I would not guarantee; and that is, as I say, erect an iron ring around the Western Hemisphere and deny to the nationals the ships and implements of war, planes, submarines, and surface vessels the use of the waters of the Western Hemisphere. The State Department says you cannot do this, that the 3-mile limit is where they stay and that brings the war to our very borders. But it is far better to have an absolute embargo on all things than a partial embargo denying the very things that poor, defenseless nations must have for their own self-defense.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. VORYS of Ohio. Could the gentleman tell us of any nation that is in the category he mentions, that is, buying any lethal weapons from us now? Is it not true that Holland and Switzerland and Sweden and the Scandinavian countries not only produce such arms as they need, but buy them in Europe from friendly powers?

Mr. IZAC. No; that is not entirely correct. Holland has an order here for planes at the present time and in case they are encroached upon by one of the aggressor nations the first thing they would have to do, of course, would be to come to us for arms and ammunition.

Let me now develop my thought further. We say the whole world is afire and most people are thinking in terms of the European continent. I am looking with my eyes in the other direction. There it is, Mr. Chairman, that trouble is brewing for the American people—in the Orient.

Today, how much do you suppose we ship to the Orient—even though we have the right because Japan and China are not supposed to be at war, the neutrality act is not invoked, and we have the right to send munitions of war to Japan? Why, she laughs at that. She says, "We make our own things over here. We have bought the machinery from America. We are making our own bombs." Would it not be ridiculous for them to send a ship, a great, big, 30,000-ton vessel of 18 knots speed, to come over here to get bombs and grenades? She gets the scrap iron and the oil and the other things she needs under the present Neutrality Act and those are the things she has to have to continue the war.

So I show you, as plainly as I can, that the present act does not mean we are neutral. It does not keep the nations of the world at peace, and therefore we are remiss in our duty to the American people in that we are deluding them that by having this feature in the act we are keeping the peace and keeping this Nation, incidentally, out of war. True, we have kept out of war, but it was as a result of the action of our President, in my opinion, who had all the opportunity in the world, if he wanted it, to get into a war, but he has not wanted to do so, and I bring that to your attention. He has not wanted to, much as you hear about our President leading us into a war. He has been in power here for 6 or 7 years and during all of that time nations were at war or were at each other's throats, both in the Orient and over across in Europe, and he never resorted to the slightest pretense of going into war. He tried to maintain the dignity of the American Republic in the eyes of the world, and I think he has done so, but here you are tying his hands in not giving to some of the smaller nations the right to defend themselves.

Mr. BREWSTER and Mr. KNUTSON rose.

Mr. IZAC. I yield first to the gentleman from Maine.

Mr. BREWSTER. In pointing out the supplies of raw materials shipped to Japan, is it not true that when we do not fabricate those munitions we do, to some extent, ship what becomes a part of its peacetime economy?

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. IZAC. It is true that if we should have a boom in war supplies, it would undoubtedly have some effect in getting us into a war, as it did before. I think that was one of the reasons, but I tried to point out that there is not the slightest chance for the aggressor-bent nations, the war-bent nations, to have to come to us for those things. In another month England and France will be in practically as good position as the other axis powers in providing the munitions that they must have. We do not have to furnish that to them, but we do, and they expect it, have to send them the things to continue the war, and those, I maintain, are wheat, cotton, oil, scrap iron, and the things they make their munitions with.

Mr. BREWSTER. Does not the gentleman admit himself out of court? As I understand, there is nothing in this act to prevent the shipment of those things.

Mr. IZAC. That is why I say unless you go along on a complete embargo against the world at war you will not be able to stop that kind of shipment; but at the present time, this is what you have. You say you can send all those things, but do not send the finished product. Is not that foolish?

Mr. BREWSTER. Do you not conclusively prove that by not shipping munitions we will retain our peacetime economy, which is what upset us in the last war when we lost that?

Mr. IZAC. No. I should say the cotton growers and the wheat growers would still want to ship to a nation or nations at war, and they are going to continue to demand that they make their profit, cost what it may. That is what I object to.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. LUTHER A. JOHNSON. As I understand the gentleman's position it is this: If you are going to be effective and start on an embargo policy, you must embargo not only arms and munitions, but everything?

Mr. IZAC. Absolutely.

Mr. LUTHER A. JOHNSON. Embargo all or nothing?

Mr. IZAC. Absolutely. If we are to go on as a peaceful nation and take our place in the family of nations, the only thing you can do is to ship to everyone or permit them to come and get the goods, but do not attempt to have a partial embargo that takes sides. It is the most unneutral part of the present act.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. SHANLEY. As a matter of fact, if this peacetime idea is to prevail, we ought to stop the present boom in airplanes, and I do not think there is a man in the country, conversant with the conditions of our national defense, who would demand that we attempt to slow up the present airplane production in this country.

Mr. IZAC. No; because everyone feels that we need those ourselves. Of course, the Army and the Navy came before our committee and they pointed out that during the World War we could not depend on the Washington Navy Yard, the finest establishment of its kind in the world, but we had to send to all of our communities and get 90 percent of the guns and materials we had to have in the World War. When you limit the production of our factories so they cannot even have the experience, of course, it will be a factor in case this Nation is ever attacked; but I like to allay the fears of the American people. I see no reason why this Nation should go into war. If we adopt this bill—and I like the bill, because it is at least treating everyone alike—I say that we are giving notice to the world that we unfetter our hands, that we are masters of our own destinies; we will make the terms as we meet them, and in the meantime we will treat all nations alike. That is something you cannot say about the present act, and that is why I appeal to you to repeal the present provision of the embargo of arms.

Now, one other word and I am through. You are hearing so much about international law. Yes; international law is better than the present act, I grant you, but it is not better than we propose. International law you may come to, but I will tell you what the American people will tell you when you get back home, and probably before you go back home. If you throw out all neutrality legislation they will say, "You cowards. You threw up the sponge." That is what they will say. They want some kind of neutrality legislation, and they are entitled to it, and this bill, I believe, gives it to them. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. HILL], one of the most sincere and consistent advocates of the cause of peace and keeping America out of war in the Congress of the United States.

Mr. HILL. Mr. Chairman, I do not question the motives of any Member of this Congress. It is not a question of motives, but it is a question of methods, whether we are going to involve ourselves in a foreign war or not, and because of that I must choose for myself and vote against this neutrality bill, because I believe it is a step leading, as it did in 1917, to have us unite with foreign countries in their foreign entanglements and their foreign wars.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I do not have the time now.

I quote from the Recessional, by Rudyard Kipling, a poem that you remember, too:

Lord God of Hosts, be with us yet,  
Lest we forget—lest we forget.

As I have been listening during the past few months to the propaganda in the newspapers throughout the country and here on the floor of the House, it is the same thing I heard from 1914 to 1917. For that reason it seems to me that we have to watch our step and not forget the terrors of the



World War. We must refuse to enter in any way into entanglements with foreign nations that tend to involve us with them in their wars.

Yesterday I attended a reception to Crown Prince Olaf, of Norway, and Crown Princess Martha; and again at the legation tonight we will have the privilege of meeting them. He is of Danish descent. She is of Swedish descent, and they represent Norway. I want to call the attention of the Members of this House to how those three Scandinavian countries settle their differences. Instead of flying at each other's throats they sat around the table in 1815 and again in 1907, using their reason, using their common sense and their patriotism, if you please, to settle their international questions and differences peaceably. [Applause.]

I believe we could and should do that in the world today. I am proud of my descent from that Norwegian ancestry that has the good sense to settle its questions peaceably.

We talk about the Prince of Peace. Let us follow His teachings. I respectfully submit that He was not only the most idealistic of men but the most practical. Caesar, Napoleon, the Kaiser strutted the stage of life for a brief time and naught but their evil deeds live after them. But the life and ideals and teachings of the Master has made possible the civilization of today. We need only to put them into practical use today to prevent war, to solve our economic problems, and right our social wrongs. Let us remember that if we want peace we must think peace and we must talk peace and we must act peace. The only way to do that is to refuse to have anything to do with those nations across the seas which want to entangle us in their methods of solving their problems, meeting vice with vice and force with force. [Applause.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. LUTHER A. JOHNSON. Will the gentleman point out in what particular this bill causes any foreign entanglement?

Mr. HILL. It will aid Great Britain and France in getting implements of war, and this will lead us into war.

Mr. LUTHER A. JOHNSON. The bill, as drawn, does not aid one nation more than another; it makes us neutral by providing for the treatment of all nations alike.

Mr. HILL. But we have the reality of some nations being able to come and get what they want from us, and other nations not. We must face facts as they are, and not a theory, as the gentleman would have us.

Mr. LUTHER A. JOHNSON. The present law is unneutral; it is in conflict with international law. The pending bill is neutral and does not show partiality to any country.

Mr. HILL. We heard the same arguments in 1917. We should not heed them today.

My time is up. I close by calling attention to the fact that this distinguished Prince Olaf and Princess Martha are now in the gallery, and it is indeed an honor to have as our guests these representatives of such a real democracy as Norway. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield one-half minute additional time to the gentleman from Washington in order that the gentleman from Connecticut may ask him a question.

Mr. SHANLEY. As a matter of fact, did not those heroic Scandinavian countries pursue their neutrality only under a rigid adherence to international law? Is it not a matter of further fact of record that they asked the United States during the World War to champion the cause of the neutrals, as was done in 1780?

Mr. HILL. Yes; that is true; but it was real neutrality.

Mr. SHANLEY. After all, their ability to stay out of the last war was due to their adherence to the tenets and principles of international law.

Mr. HILL. But the principles we are following in the present bill would eventually bring us into alliance with Great Britain and France. This was the result in 1917. This will be the result now, in case of a world war, if we pass this

legislation. I for one do not want to repeat that experience. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota, born in Norway and who has served in this House with great distinction for the last 24 years, the Honorable HAROLD KNUTSON.

Mr. KNUTSON. Mr. Chairman, this is a great occasion, for we have the honor of having with us today the Crown Prince and Crown Princess of Norway, a fine and wholesome young couple. [Applause, the Members rising.] Norway is the land I am proud to call my native land.

As the preceding speaker so ably pointed out, the Scandinavian countries have set to all the world an example of neutrality that we might well follow. They have been able to maintain neutrality through stress and storm because they will to remain out of all entanglements with other countries. [Applause.] If we get into a future war, the chances are it will be because we want to get into it.

The measure now before the House, known as the Bloom bill, is one of the most important and, in my judgment, the most dangerous measure to come before this body in two decades. [Applause.]

Why its proponents should refer to it as a neutrality bill is beyond my understanding. It is anything but that. This is probably the first of a series of measures that will be presented as a prelude to our participation in the next war on the side of the "haves" as against the "have nots."

The Bloom measure is clearly designed to definitely aline the American people and all their resources in manpower and material in the tense struggles now being waged across the seas to preserve existing boundary lines.

Mr. Chairman, the Roosevelt-Hull foreign policy closely parallels the foreign policy of Woodrow Wilson. Today we witness the same preaching of hatred, we hear the same false tales of atrocities, we have the same name calling by highly placed officials, such as polluted the air back in 1915-17. The same group of international bankers ply their disloyal and nefarious practices. The measure before us might have been written at 10 Downing Street or Quai d'Orsay. Certainly it is strangely deficient in its Americanism. The Bloom bill is loosely and poorly drawn. In places it is adroitly ambiguous and throughout it confers powers upon the President that do not square with American principles and traditions.

Let us briefly examine some of its provisions.

The Bloom bill in a number of places is susceptible of several interpretations. Under section 1 (a) the President is to issue a proclamation if he finds that a state of war exists between foreign states and that it is necessary to preserve the security or promote the peace of the United States or to protect the lives of citizens of the United States. In this proclamation the President is to name the states involved in the war. A proclamation might be issued under this section naming nations A, B, and C. Section 1 (b) provides that whenever the conditions which caused the President to issue any proclamation under the authority of subsection (a) have ceased to exist, he is to revoke the same. If nation A ceases to be involved in the war before the termination of such war, there is no way under the provisions of section 1 whereby the President can eliminate nation A from the application of the various provisions of the joint resolution without revoking the whole proclamation, as it might apply to B and C, who are still at war.

Under section 3 (a) it is unlawful for any citizen of the United States, or vessel flying the flag of the United States, to "proceed through any areas defined from time to time by the President to be areas of combat operations and so specified in his proclamation." Under the wording of the bill it would be unlawful for an American citizen or an American vessel to proceed through such area, but they could enter it and retrace their course without violating the law.

Mr. FORD of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. FORD of Mississippi. Does not the gentleman know that an amendment will be proposed to that section?

Mr. KNUTSON. I am discussing the bill we have before us. I do not know what amendments will be offered. I cannot, therefore, discuss something we do not have before us.

Under section 4 (d), the President is given power to prohibit the export of articles or materials "until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation or national." Under international law, the status of goods as free goods—that is, goods entitled to neutral protection—has never depended on the nationality of the owner. It has always been considered to be the domicile of the owner that governs.

Mr. PATRICK. Mr. Chairman, I want to call the Speaker's attention to the fact that his royal visitors have walked out on us.

Mr. KNUTSON. Never mind; sit down and be your age. This is too serious a matter to treat with levity—at least, it is to me.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. VORYS of Ohio. Now that our visitors have left, I wish to remind the gentleman, in response to the suggestion made that we had to ship arms to protect Scandinavian countries, that Norway in May of this year bought the staggering total of \$387.93 worth of war munitions.

Mr. KNUTSON. They will probably be used against poachers.

The author of this bill—I do not want to be personal, because I think he is not in the room [laughter]—in drafting subsection (d) of section 4, evidently labored under the delusion that international law can be set aside by domestic legislation.

As I read section 4, the President is empowered to impose sanctions and lay embargoes and I quote the language that confers such power:

(a) It shall therefore be unlawful except in accordance with such rules and regulations as the President shall prescribe, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States \* \* \* any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government.

And so forth. Under this phraseology he can make the provisions of the law applicable to one nation or group of nations as against another nation or group of nations. That, in effect, gives him full power to impose sanctions and lay embargoes.

Under the second sentence of section 5 (a) all community chests, welfare organizations, hospitals, and other similar local charitable organizations are prohibited from soliciting contributions to relieve local human suffering and to meet local emergencies unless such solicitations have been approved by the President. There is nothing in this sentence to indicate that the solicitations which are prohibited are to have any connection whatsoever with the war described in the President's proclamation issued under section 1.

Section 10 (h) repeals the provisions of the act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba. The 1937 Neutrality Act carried an identical provision for repealing this act, so the act has already been repealed once and I see no necessity for going through the motions of repealing something that has already been repealed.

When the Bloom bill is taken up for amendment it is my purpose to offer a motion to strike out all after the enacting clause and to amend section 1 of the 1937 Neutrality Act. The effect of this amendment will be to amend the arms embargo provisions of the 1937 Neutrality Act and to leave all other provisions of that act now in effect, unchanged.

The amendment I shall offer reads:

Amendment proposed by Mr. KNUTSON to House Joint Resolution 306: Strike out all of section 1, and insert the following:

"That section 1 of the joint resolution of August 31, 1935 (Public Res. No. 27, 75th Cong.), as amended, is amended to read as follows:

#### "PROVISIONS RELATING TO WAR MATERIALS AND LOANS

"SECTION 1. (a) Whenever a foreign state is at war with any other foreign state, the President shall by proclamation so declare, and shall include in such proclamation the names of the states involved in the war, and, from time to time, by amendment to such proclamation include the name of any other state when it becomes so involved, or exclude the name of any state when it ceases to be so involved, as the case may be. A state named in such proclamation as involved in the war shall for the purposes of this section be deemed to be a state to which such proclamation applies.

"(b) Whenever a proclamation issued pursuant to subsection (a) is in effect, it shall, notwithstanding the provisions of section 3, be unlawful—

"(1) for any person to export from any place in the United States to any State to which such proclamation applies any arms, ammunition, or implements of war which the President by regulations issued under subsection (d) defines as such, or any articles or materials which the President by regulations issued under subsection (d) defines as capable of being converted into arms, ammunition, or implements of war, or

"(2) within the United States for any person, or either within or without the United States for any person who is a citizen of the United States, to make any loan, directly or indirectly, to the government of any state to which such proclamation applies, or of any political subdivision thereof, or to purchase or sell any obligation of any such state or political subdivision issued after the enactment of the Neutrality Act of 1939."

unless the President has by proclamation designated such state as having agreed to and as complying with a code of warfare acceptable to the United States.

"(c) Whenever a proclamation issued pursuant to subsection (a) is in effect it shall, notwithstanding any provision of subsection (b) or of section 3, be unlawful—

"(1) for any person to export from any place in the United States any arms, ammunition, or implements of war which the President by regulations issued under subsection (d) defines as such, or any articles or materials which the President by regulations issued under subsection (d) designates as capable of being converted into arms, ammunition, or implements of war, to any state that is in arrears or in default in payments due on any debt of such state to the United States; or

"(2) within the United States for any person, or either within or without the United States for any person who is a citizen of the United States, to make any loan, directly or indirectly, to the government of any state or of a political subdivision of any state that is in arrears or in default in payments due on any debt of such state to the United States, or to purchase or sell any obligation of any such state or political subdivision issued after the enactment of the Neutrality Act of 1939.

"(d) As soon as practicable after the enactment of the Neutrality Act of 1939, the President shall by regulations define every article and material which constitutes arms, ammunition, or implements of war, and every article and material which is capable of being converted into arms, ammunition, or implements of war and shall not amend or modify such regulations during any period during which any foreign state is at war with any other foreign state.

"(e) Whoever violates any of the provisions of this section shall upon conviction thereof be fined not more than \$250,000 or imprisoned for not more than 5 years, or both.

"(f) As used in this section "citizen of the United States" in the case of a person other than an individual means a person organized under the laws of the United States, the laws of any State of the United States or any political subdivision of any such State, or the laws of any Territory, district, or possession of the United States."

"SEC. 2. This joint resolution may be cited as the 'Neutrality Act of 1939'."

In short, my amendment would bar all sales of war material to such belligerent nations as refuse to subscribe to a code of civilized warfare, or who are in default in their debts to us.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield one-half minute additional time to the gentleman from Minnesota and I ask the gentleman to yield to me.

Mr. KNUTSON. I yield.

Mr. FISH. I do this simply for the purpose of saying to the Committee that the gentleman from Minnesota [Mr. KNUTSON] is the only Member of the House left who voted against the entrance of this country into war in April 1917 and still is one of the most valuable Members of the House. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Ohio [Mr. JENKINS] such time as he may desire.

Mr. JENKINS of Ohio. Mr. Chairman, it is my judgment, and I think my judgment will be concurred in by everybody who has been attendant upon these debates, that these have



been the most interesting and the most elucidating debates we have listened to in this session of Congress; they have been really brilliant and entrancing. I find myself, however, although I have listened assiduously and religiously to both sides, being drawn back irresistibly, as a magnet draws steel to itself, to the position that this is in effect not a neutrality bill. I shall feel constrained, consequently, to vote against it. [Applause.]

In the first place neutrality is a state of mind. Neutrality is a mental process. We are neutral or nonneutral depending on the circumstances of the occasion. There is an element of right and justice that governs our neutrality. Complete neutrality cannot be legislated. In order to secure just neutrality it would be necessary for us to wait until the occasion presented itself. It is not to be claimed that the present Congress is more capable or more patriotic than future Congresses. Neither is it to be claimed that the present Chief Executive is more capable or more patriotic than a future Chief Executive may be. It is safe to assume that the present Chief Executive will be as capable and patriotic in 6 months from today as he is today. Eight weeks ago and 8 months ago the war clouds were hovering close over the world. They have lifted somewhat now. We are not involved now with any country in such a way as that we irresistibly may be drawn into any world conflict. We are in a good position now to maintain our neutrality. The Congress of the United States is the mouthpiece of the people. The Constitution gives to Congress the right to declare war because Congress is the mouthpiece of the people. When Congress grants through statute any additional powers to the President or anyone else Congress to that extent and in that respect surrenders that much of its power and places that much restriction upon itself. To illustrate this I need only to point out the difference between the situation that arose when Italy waged its war against Abyssinia and annexed that country, and the situation that arose between the contending groups in Spain, and the situation which arises from the war now being waged between Japan and China. In the war between Abyssinia and Italy we were not vitally concerned economically or racially. Our interest was that we disliked to see the liberty and freedom of one country invaded without right by another. In the contest between the different groups in Spain we were not nationally interested except as these groups represent different political and religious views and except as they were encouraged or discouraged by other European powers. In the contest between China and Japan our interests would not be the same as in a contest between Great Britain and Germany. Why, therefore, commit ourselves to any rule of conduct until we know the nations to be involved in any certain contest, and the principles at stake and the object sought to be attained. As I have already stated, there are many factors that must be considered in determining whether one should remain neutral or whether he should assume an active affirmative position or a passive, retiring position.

I therefore feel that since we are at peace with the world our best policy is to remain at peace and do nothing that can be construed by any nation as an unfriendly act or to be construed by any other nation as an unduly friendly act. Of course, I do not mean that we should retreat into a complete state of isolation. My position is that we should await emergencies and meet them in a straightforward way when they rise up to confront us. Our people and those in charge of our Government are intelligent and patriotic. We have the financial and physical power to protect ourselves, if necessary. We have heretofore shown to the world that we are not imperialistic and do not covet the lands or possessions of any other nation. We have the assurance that the American people are almost unanimously opposed to war. With all these factors contributing together we have every reason in the world to retain our present attitude and to await developments.

This bill that we have for consideration before us could well be postponed until a later date. But since it is before us we must dispose of it.

In the first place this bill does not in any way deal with the subject of embargo on arms and munitions. That provision of the law was allowed to lapse and become ineffective by expiration of the time limit in the law and while until a few months ago our would-be neutrality law carried in it a provision against the sale and shipment of arms and munitions to belligerent nations, this bill studiously avoids any consideration of that proposition. It should be amended to contain such a provision.

If I were to be compelled to lay down two propositions upon which the American people are almost unanimously agreed with reference to this matter of war and neutrality they would be—

First. The American people are opposed to war.

Second. The American people believe that the sale of munitions and arms to belligerent nations will more quickly contribute to war than any other one cause.

I am therefore opposed to the Bloom bill because it will increase the probability of our getting into war by giving the President unreasonable authority, and I am further opposed to the bill because it does not contain a provision providing an embargo against the shipment of arms and munitions.

One need not be especially learned in statesmanship or international law, or in Government finances, to know that there is no quicker way to get into a war than for a nation to assist one or the other of the combatants by furnishing that country with guns and war materials with which to prosecute more vigorously its side of the controversy. The only thing to be gained by our sale of munitions is that it might give to our people more employment and give to our manufacturers the chance to earn more money. I recognize the fact that there is dire need for both of these conditions in our country but still you cannot weigh human lives and human suffering in the same scales with dollars. We can live without the dollars, as we have been doing through the severe depression in which we have found ourselves in the last 6 years, but we should be careful when we make any bargain or assume any obligation that must be paid off in human lives and human suffering.

Personally, as I have already stated, I should prefer that we had not taken up the consideration of this bill at this time, but since we have taken it up, I shall support any amendments that will tend to defer and delay any final action and any final commitment by our country into any set and definite program. If an amendment to that effect shall fail then it shall be my purpose to support the inclusion of a clause into the bill to provide an embargo against the sale of arms and munitions of war.

All through this bill there are provisions that give the President additional power. These sections giving the President additional power are honestly drawn and I do not want to charge anybody with any ulterior motives. I do not want to charge the President or the Secretary of State with anything but the highest motives. Many of our great Presidents have been mistaken and have honestly advocated policies that would, if accepted, have been disastrous to the Nation. Even the youngest of our membership can remember the issues of the Presidential election of 1920. We were just fresh out of the War. President Wilson, of whom all fair-minded men will say that he was an able and a patriotic man, had a vision of world peace. He was supported in his views by many of the finest people in our country. They thought that the World War had been waged to make the world safe for democracy. Time has proven that Mr. Wilson was wrong in his position. Mr. Wilson was opposed by a few members of Congress who were at first severely criticized. However, when the country awakened, the weakness in the position of President Wilson was soon discovered. He had misjudged the temper of the people of Europe. He forgot that they had been in a state of declared and undeclared warfare for a thousand years. He had forgotten the racial and political and financial prejudices of those countries. He had thought that the millenium had come when as a matter of fact it was just the lull between one storm

and another. The political parties in 1920 took up the issue as to whether we should enter the League of Nations and whether we should involve ourselves in such a way as to be tied up with the jealousies and intrigues of Europe.

When our people had a chance to speak through the ballot box they spoke emphatically and we stayed out of the League of Nations. The people were right then and are equally capable of being right at this time. But had we entered the League of Nations, where would we be today? We would be the big policeman for the world until we had exhausted our heritage and all our wealth and until we were on the common level with the rest of the dissatisfied nations of the world. It is a sad fact that practically every nation in the world today is dissatisfied. Many of them are in war or on the verge of war. In our own great country our people are terribly dissatisfied. They feel the pinch of want and the lack of work. They feel that their anchorages have been pulled up and that they are drifting. They feel that no more can it be held that no one is a true American who does not earn his bread by the sweat of his face. They feel that many a good American is denied this privilege now through no fault of his own. Once he could get a job. Now he must accept charity. In the face of all this unrest and uncertainty our country is in better shape than any of the rest from one standpoint alone and that is from the standpoint of peace. Why, therefore, should we risk this one outstanding blessing that we enjoy as against most of the world?

This proposed bill grants to the President many rights and privileges which although he may assume them with the most sincere purpose he cannot be infallible and he may in an effort to carry them out inadvertently and irresistibly involve us in a conflict with other nations.

Take, for instance, the provision where he is given the power to define areas through which American ships and American people should not travel, and provisions where he is given authority to provide regulations for shipments of goods and materials, and provisions where the President may prescribe rules and regulations with reference to the usages of ports. These provisions call upon the President to deal with delicate situations that are clearly outside the field of diplomacy. They deal with business and hard-headed and selfish business practices. I have always felt that in matters of diplomacy the President and the Secretary of State should be given great leeway of operation. I have always been willing to trust them regardless of politics. In considering matters of diplomacy, the principal qualifications that a President and Secretary of State should have are ability and patriotic integrity. I have no desire to impute the lack of either of these splendid qualifications to either our President or our Secretary of State, but I do say that when the President is given rights and privileges beyond his sphere by the Congress there is danger that Congress and the people will maintain that the action of Congress, while originally only the grant of privileges, was in effect a duty to be performed, a harmless grant may become a dangerous duty. In other words, it is hardly fair to the President for Congress to load him down with powers and privileges and then hold him responsible for duties and performances.

We, the Congress of the United States, are by the Constitution given the privilege of representing the people in matters pertaining to a declaration of war. This privilege carries a profound duty in that to us also and alone is given the responsibility of saying whether and when our people and our country shall be thrust into a war. I do not want to shift that responsibility. I am willing to assume my part of it and to go through with it, as I think my constituents would want me to do. I know that my constituents are opposed to war and would sanction war only as an extreme case to protect and maintain the dignity and honor of our country and her people. I know that my constituents are opposed to any steps that will endanger the lives of our young men for the sake of an opportunity to increase the business activities of a nation however badly these business activities need to be increased.

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I hope that when our deliberations are concluded and the final vote has been taken on this bill and the amendments thereto, that we will have done what the American people think should be done. As one humble Member of this great body, that shall be my purpose. I shall do nothing that will tend to involve us in a war that can be averted. [Applause.]

Mr. FISH. Mr. Chairman, I yield to another distinguished Member from the State of Ohio [Mr. BENDER] 5 minutes.

Mr. BENDER. Mr. Chairman, under this bill the Congress is reduced virtually into nothingness insofar as its ability to control a war is concerned. Under the Bloom bill so many things could be done by the President before declaring a war that it would be virtually impossible to keep us out of war. I would like to see the whole "bloomin'" business thrown into the ashcan, all of it except section 16, the repeal clause. The best way to take American politics out of international affairs is to defeat this measure. [Applause.] The future of our American youth is on top of American soil and not under European ground. During the past year when we have had discussions and rumors of war in this country, the country has had the jitters as never before. I am in favor of relieving the mental anguish the people of this country experience every time there is a rumor of war or a discussion of war on the floor of this House or anywhere else in Washington.

We send our missionaries to China to convert the heathen Chinese and our war materials to Japan to mow them down. There are throughout the land thousands of missionary societies that are knitting, sewing, and giving dimes in order to send missionaries over to China and elsewhere. What are we doing here? What is happening in Washington? We are sending war materials to Japan or permitting war materials to be sent, or closing our eyes to the fact that they are being sent over there in order to mow down the Chinese. What is the use of singing "From Greenland's icy mountains, from India's coral strand" and then vote to give one man unlimited power to determine whether or not we shall be plunged into a conflict that will break down all the Christian principles that we have been taught throughout many generations?

There seems to be a disposition to decide the next election with a lot of phony statements on this war business. If our sensibilities cannot be shocked by the atrocities committed in China, Austria, Ethiopia, Albania, and Russia, and if these are not sufficient to provoke war, then why all this conversation about neutrality? Why present legislation kidding our people into believing that any law will be sufficient to make the world safe for democracy?

What does this bill say regarding a civil war in any other country?

Mr. Chairman, I want to vote against this bill and make it easier for Roosevelt to go back to Georgia this fall. It seems to me that the President is occupying much of his time setting up straw men to knock them down again. The President spoke before Munich, and Mr. Hitler took Sudetenland with honor. Later Mr. Hitler raped Czechoslovakia and earlier he had raped Austria.

The best way for America to proceed is to set its own house in order. Let us have an example of good government at home.

The other day I received in the mail copy of a sermon delivered by Dr. Harry Emerson Fosdick on the subject of Dare We Break the Vicious Circle of Fighting Evil With Evil? I commend it to every Member of Congress, and I shall ask unanimous consent to have it printed in the RECORD.

No matter how sincere may be the motives which underlie the administration in sponsoring the proposed neutrality act, everyone of us must analyze its provisions microscopically to discover whether or not they will keep us out of war.

We have already gathered an abundance of evidence to indicate that our President is definitely allied with the "internationalists" in the conduct of our foreign affairs. Whatever may be the justification for his position, this much is certain. We run greater risk of placing our necks in a noose



if we run around with lawbreakers than if we steer absolutely clear of them.

I object to any foreign policy which places vast powers in the hands of one man whose discretion is almost absolute. No matter who may sit in the White House, it is dangerous for a nation of 130,000,000 people to entrust its destiny in the hands of one man in times like these. In the last few years, we have witnessed an amazing demonstration of presidential astigmatism. Our President was able to see a war in Spain, but he is still utterly blind to the war which has been raging in China for 3 years.

Under the proposed Neutrality Act there is no provision whatever to keep us from taking sides in a civil war. What kind of neutrality is this? If we had shipped armaments to either side of the Spanish conflict, would we have had the right to claim ourselves as "neutral?" If revolutionary struggles break out anywhere, the proposed law would make an absolute mockery of neutrality.

In the last analysis the problem raised by the administration becomes simply this: Shall the President of the United States have authority to determine the position of our Nation in time of war? Shall we vest in him the power to control our foreign policy so completely that the ultimate decision of war or peace is no longer open for discussion? All of us know full well that a President, in whose hands we place the conduct of our international relations, is to all intents and purposes the most powerful man in our land. Given the right to do as he chooses with our armed forces, moving the Navy about from hemisphere to hemisphere, his prerogatives are all but royal whenever there is danger of an international conflict.

Under our Constitution, the White House is already the dominant influence in every question of foreign affairs. But the Bloom bill extends this influence still further. It offers the Presidency almost unlimited powers.

The President alone would have power to proclaim the existence of a war and to designate the nations involved. To judge by our past experiences, we might well find the powers of Germany, Italy, and Japan ranged in a war against Britain, France, and Russia, with our White House solemnly proclaiming that two of the six nations named were not engaged in a "war." Ridiculous, you may argue, but surely it is no more absurd than the distinction drawn by our President in labeling the Spanish conflict a "war" and designating the Sino-Japanese struggle as something else.

The point must be clear. No President should be given the unrestricted authority to make so momentous a decision; and surely it is dangerous to entrust to our present President the determination of a "war" in the light of his own actions in the recent past.

But the tale does not end here. Under the measure favored by the administration, the President having perceived the existence of a "war" would then have the right to declare it unlawful for our citizens to travel on vessels of the warring nations, "except in accordance with such rules and regulations as the President shall prescribe." From the White House would come a description of "areas of combat operations" through which our people, and the vessels owned by citizens of the United States as well, could not travel "except under such limitations as the President may prescribe."

Once the war was established to the President's satisfaction, it would be unlawful for any person in our country to sell, buy, or exchange securities issued thereafter on behalf of any of the governments named as engaged in the conflict, except that the President could make an exception in favor of commercial credits and short-term obligations of a peaceful nature.

Exports of goods to any belligerent state would be banned "except in accordance with rules" which the President might again fix. The use of American ports as bases of supply could be restricted by the President. He might forbid submarines and armed merchant vessels of belligerent nations to enter our harbors; and a good many unpleasant international possibilities could rise here from the presence of machine guns, small arms, and the like, on any vessel.

Running through the entire proposal is the underlying current of dependence upon the judgment of the President. Once more the people of our Nation would be surrendering their right to determine their own affairs. Congress, which has just recaptured the constitutionally granted privilege of legislating for our people, would be in effect surrendering it once more to the White House.

Granting that under present world conditions we must have a flexible foreign policy, we cannot afford to let the determination of that policy rest in the hands of one man, no matter how wise or how benevolent we may regard him. And when we have received abundant evidence casting doubt on both his wisdom and his benevolence, we must make certain that our fate does not depend upon his incalculable whim.

The President speaks of our new frontiers in France. We had a frontier in France 20 years ago and it availed us nothing. I would like to see our frontiers kept over here. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

#### AMERICA WANTS GENUINE NEUTRALITY

Mr. SHAFER of Michigan. Mr. Chairman, I will not attempt to analyze the provisions of this so-called Bloom neutrality bill, to which I object. I take this opportunity to put myself unequivocally on record as being for genuine neutrality.

There is no question about the fact that the American people want genuine neutrality. The people of this country do not want our men and our money to be shipped across the seas again. They do not want our youth to again shed their blood on foreign soil in another futile attempt to make the world safe for democracy. We did not make the world safe for democracy by going into the last war. We would not make it safe for democracy by going into another war. Our big job, as I see it, is to stay at home and make America safe for democracy. Let us solve our own domestic problems and get back onto the road to normalcy and prosperity. If other nations want to indulge in armed conflict, let them do so.

There is only one way to be neutral, Mr. Chairman. That is to be neutral. This Bloom bill is not a neutrality bill in any sense. It is a bill designed to place in the hands of the Chief Executive the power to plunge this Nation into war.

By no stretch of the imagination can we claim that this administration is neutral. It has chosen sides in the conflict in China; it has chosen sides in the disputes of Europe. To give the President the discretion of deciding when an armed conflict constitutes a war; to give him the power to invoke economic sanctions against one side and in favor of the other, particularly in view of his own declarations on the subject of foreign disputes, is, in my opinion, to give him the power and the discretion to render this country unneutral any moment he chooses and to involve us in another world conflict which would complete the ruin of our civilization.

I agree with those who have stated that in passing on this legislation we are passing on a question of war or peace.

The countries of Europe by reason of their peculiar problems, which are not our problems, have for centuries followed the policy of balance-of-power politics. Great Britain has traditionally been in the position of standing in the middle of the seesaw board of European power politics for the purpose of maintaining a balance of power which would be of advantage to herself and whatever allies she happened to have at the moment. In order to maintain this balance of power England has had to dominate the seas. She has had to maintain a navy sufficiently powerful that no other nation or group of nations could hope to vanquish it.

History does not disclose that either England or France has been free from aggression themselves. Quite to the contrary. To maintain the balance of power England has moved first to one side and then the other of the political seesaw of Europe, always with an eye to her own profit and advantage.

I am not quarreling with Great Britain's position. But I do not want England and France to inveigle the United States into the position where Uncle Sam will be occupying that precarious position in the middle of the political seesaw board of Europe.

It seems to me that if we would adopt a similar cash-and-carry policy, together with a refusal to lend money to either belligerent when a conflict is on, we could remain neutral, stay out of war, and attend to our business at home.

I have no objection to embargoes of arms and munitions whenever two or more nations engage in armed conflict. While I doubt somewhat the efficacy of such embargoes they will certainly not get us into trouble if they are impartially invoked and applied.

I freely admit that a cash-and-carry policy, together with a policy of impartial embargoes on munitions of war and on loans to any belligerent, will operate to the disadvantage of small nations as against large nations. Although I sympathize entirely with China, I do not close my eyes to the fact that the cash-and-carry policy and the embargo on loans and munitions would operate to the disadvantage of China and to the advantage of Japan. On the other hand, the same policy would operate to the advantage of England and France and to the disadvantage of Germany and Italy.

But in such a case we would be neutral. If we expect to maintain neutrality in any sense of the word, then we must expect to stand aside while weak nations of Europe may be the victims of aggressor nations.

Regardless of economic sanctions or anything else, how can we imagine that we could have helped Ethiopia or Albania in any way whatsoever short of sending men and money across the sea to defend them against Italy? How could we have rendered any assistance to Czechoslovakia short of sending men and money across the seas to oppose Hitler and his Nazis?

If we are going to undertake to police the world and to uphold a balance of power in an effort to prevent the historic aggression of some nations against other nations, then we had better look the facts frankly in the face and prepare to maintain an army and navy equal to the combined navies of Germany, Italy, and Japan; and we had also better face the fact that we will be in war up to our ears and over our heads before a very long time has passed.

I am not willing to undertake to have America police the world. I am not willing to undertake the role of becoming protector of every small nation on the globe. I am not willing to climb up on the political seesaw board of Europe and endeavor to maintain a precarious footing while straddling the Atlantic and the Pacific Oceans at the same time.

All of the countries of Europe, not the least of whom have been Italy and Germany, have sent us millions of worthy citizens who have helped to build this Nation. Our population is made up of peoples from all the other nations. We have an ocean which separates us from the Orient on the one side and from a quarrelsome and troubled Europe on the other.

We have friendly neighbors to the north of us and friendly neighbors to the south of us. Let us maintain our position at home and leave the playing of power politics to others abroad.

Insofar as the Monroe Doctrine is concerned, I would uphold it at whatever cost and by whatever means may be necessary.

As to any threat of any nation, or group of nations, invading this country and seeking to exact tribute from us, I would say fight to the last drop of blood. I do not, however, believe that any combination of nations within the next half century could even contemplate moving against the United States either through South America, or on our west coast, or from the north.

Therefore, Mr. Chairman, I say if we are going to enact a neutrality bill, let us have a genuine neutrality bill. Let us not be deceived by a name or a title into voting for this Bloom measure, which is the antithesis of a neutrality bill, and which, in my opinion, if passed, will expose us to the perils of becoming involved in foreign wars. [Applause.]

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. YOUNGDAHL].

Mr. YOUNGDAHL. Mr. Chairman, practically every speaker on this bill has denounced war. Practically every speaker has voiced America's desire for peace.

Then why the opposition to the embargo on arms to warring nations? In my opinion, there can be only two reasons; either they desire to favor certain nations over others or else they are concerned with the profit motive. The American people are opposed to both these reasons.

Our experiences in the last war should teach us the fallacy of favoring one nation against another. America cannot pick sides in any war and long remain out of it herself. If America is to favor one nation against another, it will only be a matter of time until we too are in war.

If we are opposed to war in America, and not one Member of this House would say that he favors war, then we should be just as strongly opposed to war in any other part of the world. Shipment of munitions and war material to any warring nation can only aid in the continuation of war. Surely the events of the past year, when our country has been placed on record as favoring certain nations against others by the executive department, should make us move with care in the granting of any further discretionary powers to that department.

American mothers do not want their sons sent to war. Neither do they want the sons of Chinese mothers, of Czech mothers, or any other nations sent to war. American mothers want peace—peace not only for America but peace for the entire world.

If we pass the so-called Bloom bill, the President will have the power of continuing his campaign of favoritism, which, in my humble opinion, can only lead us into war.

Although our last neutrality bill provided that where a state of war exists no munitions nor war material may be supplied, yet we are told by good authority that America is Japan's chief source of the war material she has used in her war on China.

Has it occurred to you that Japan has been one of the most flagrant violators in their treaties with other nations? Do you believe that a nation which violates its word, its promises, and agreements is entitled to help? Do you believe that we should help such a nation against the very nation toward which we have assumed the role of big brother?

If we are to have neutrality, then let us have a strict neutrality. Let us mind our own business. We are not minding our own business by picking sides in someone else's quarrels.

In short, the Bloom bill, in my opinion, gives too much discretion to the Chief Executive, who already has shown his partiality in European and Asiatic affairs. It does not provide for a mandatory embargo to all warring nations. It does not permit America to mind her own business but makes certain that we will pick sides in every quarrel that arises.

The Bloom bill, in my opinion, would throw America into the thick of impending fights. My vote will never be cast for that kind of neutrality.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, at the outset I want to pay tribute to a fine American, the ranking minority member of the Committee on Foreign Affairs, the distinguished gentleman from New York [Mr. FISH]. [Applause.] I think he has done a fine job in keeping this question alive, not only during this debate but from the time he took off his uniform as a distinguished soldier in the last World War. He has talked on more than a thousand platforms in this country. I shared these platforms with him many times, and I have never found the day or hour in his life that he has not kept this question before the Nation, from a nonpartisan viewpoint, if you will, as a great American, determined no American boy ever again die on a foreign battlefield. As a Member on this side of the aisle, I have



disagreed with him, so have my colleagues, on partisan matters. He has been a sincere partisan, but on this question he has been a nonpartisan. I salute my distinguished colleague. I want to ask the Members of the Congress to approach this question upon a nonpartisan basis.

I have heard statements made in the debate that "Professor Who-Is-This" and "Professor Snooper" have said that the golden age has arrived, we cannot be isolationists any longer, which means that we have to get into every fight to save the munition makers and the international bankers. That is the theory upon which their arguments are predicated. I fail in this debate up to now to see anyone giving us the information on the question, "How does labor stand?" How does the working class stand? Who speaks for them? That is the class that will have to furnish the cannon fodder—the youth of America—to fight a war perhaps once again on the pretense that we must save the world for democracy.

I tried to find labor's attitude on this legislation, and I did find out. I got in touch with Mr. William Green, president of the American Federation of Labor, a Democrat, if you will, a friend of mine of 25 years' standing, and a friend of Franklin D. Roosevelt. I want to read to this Congress what he has to say on this important subject. This is a statement he made before the Senate Foreign Relations Committee in April of this year:

The American Federation of Labor has endorsed the principles upon which the Neutrality Act was based, that a neutral nation has obligations as well as rights and that the munitions industry is a matter of public concern. We do not believe that this is the time to make changes in this law, for any change in this legislation might be interpreted as a change in our foreign policy. So essential is it for our country to do its part in maintaining peace between nations that in my opinion we should do everything possible to avoid raising any doubt as to our wish to remain aloof from the controversies of other countries.

The workers of the United States want peace. We went through the World War, doing our full part. The lessons of that experience have convinced us that world problems can be solved only under conditions of peace and through the instrumentalities of peace. The working people of this country are firm in their desire to avoid entanglement in the intrigues of nations seeking aggrandizement of territories or protection of the gains of former aggression.

We believe that the present neutrality law has served the interests of peace between nations and that it should be continued as it was enacted in 1937.

American labor is disturbed by obvious efforts to promote war hysteria. We cannot forget the loss of life and manhood when a generation of young manhood was conscripted for the World War. Labor throughout the length and breadth of the United States is opposed to sending another generation into the trenches of war, and we urge that every possible safeguard be taken to avoid anything that would needlessly contribute to a war development.

This is no time for experimentation. Labor, therefore, urges continuance of a measure that has been helpful in the hope that peace may be served.

Again, in May of this year, over his signature as editor of the American Federationist, Mr. Green states:

Our political institutions are controlled by democratic ideals and have grown out of a deep-rooted desire for freedom. Independence from foreign control and the principle of representation made possible the development of political democracy within our boundaries. As a new and relatively unimportant Nation, we were not concerned with the struggle for territorial expansion and aggrandizement that harried the Old World. Of world powers, we asked only to be let alone to develop in peace and freedom. In our own affairs we have found that political democracy must go hand in hand with economic democracy. Doubtless this is a general principle.

In our Federal Government it has seemed wise to establish and maintain a balance of power between the Executive and Congress. We have tried to maintain the same balance in the field of foreign policy with Congress deciding policies, and the President dealing with specific situations in accord with policies outlined. The Neutrality Act of 1937 is based on this principle, and to change it at the present time is to create an apprehension that we are changing our foreign policy. Any change may add to war fears. American labor wants peace, not war. We therefore ask that the present Neutrality Act be continued in effect.

In the present difficult international situation, strong pressure has been behind a proposal to increase the President's authority and responsibility under the Neutrality Act. The purpose is to make possible quick and efficient action in crises. To follow this course is to adopt the procedure of foreign countries and to abandon

the safeguards of our traditional democracy without assuring peace in the world.

For centuries the nations of Europe have relied upon force in their relations with other countries. Power politics still dominate this field. Some countries have their spheres of influence defined and established, others are less fortunate or more recently set to the task of developing power. Foreign influence rests on territories and armaments. If the United States is asked to participate in European matters, we must come into the zone of power politics after policies have been determined, commitments have been made, and a crisis reached. Our interference would mean nothing for peace. The aggressor nation of one generation defends the status quo of the next.

The welfare of the United States is tied up with the progress of democracy in living, and we have found that political democracy is inseparable from economic democracy. Any basis for co-operation between the United States and other governments for world peace must be in accord with these basic principles so that there might be mutual understanding and joint action for industrial and political democracy for all nations.

We are not insensitive to the struggle going on in the world, but amending our Neutrality Act in such a crisis would not express our desire for world peace but would be interpreted as partisan action. American labor is profoundly concerned for peace and for developing the practices and agencies for maintaining peace between nations. In the light of World War experience we hold that war settles nothing and that future generations should not be asked to serve in the trenches. The Neutrality Act of 1937 is a defense against entanglements in the disputes of other countries.

That is the voice of labor, speaking for millions of organized workers, and I might say, yes, for the unorganized workers of America. Heed that voice and heed it well. "No change in our neutrality policy." That is what Mr. Green says. I wanted to be sure of that and I called him by telephone.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from New York.

Mr. FISH. Does the gentleman know of any group that is asking for this bill? Does the gentleman know of any farmers who are asking for this bill or any businessmen who are asking for it?

Mr. SWEENEY. I can speak only from my own experience, that I have never received one communication asking for this bill.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I am sorry, my time is limited. I respectfully decline to yield.

Mr. Green is a Democrat, I repeat. Over the phone the day before yesterday he said, "I have not changed my conviction one iota, and you may tell your colleagues of the House of Representatives how I stand."

Who wants this bill? The other day or a few days ago we entertained a distinguished couple from Europe. Some of us were vocal in our protests. Some of us suspected that there was a sinister purpose behind the visit. Newspaper editorials said it was bad taste even to suspect the sinister purpose behind the visit of the King and Queen of Great Britain. I received, and some of my colleagues who were vocal in their protests received, some very adverse criticism. Well, we can take it, but let me show you some of the proof of our statement that there was a hidden purpose in the visit. Our suspicions are now being confirmed.

Over at Banff, Alberta, when His Royal Majesty was relaxing on the veranda, he made a very significant statement which is carried in Newsweek, a publication edited by my old friend and townsman Raymond Moley, the first brain truster under Roosevelt, under date of June 19, 1939. The article is entitled "Significant." I will read it:

The purely political considerations behind the royal visit to the United States were not betrayed by the exchanges of formal speeches between President and King. Mr. Roosevelt touched lightly on world matters at the White House dinner when he said: "I am persuaded that the greatest single contribution our two countries have been enabled to make to civilization \* \* \* is the example we have jointly set by our manner of conducting relations between our two Nations. \* \* \* It is because neither of us fears aggression on the part of the other that we have entered no race of armaments." But the King, speaking, as throughout the trip, clearly and distinctly, contented himself in reply with a pious, "I pray that our great Nations may ever in the future walk together along the path of friendship in a world of peace."

However, on at least one occasion reporters thought George VI dropped a hint of what was in his mind during the historic North American visit. Relaxing from his regal role momentarily at

Banff, Alberta, a fortnight ago, the King spoke freely to British and Canadian correspondents of conditions in Europe. One remark especially seemed significant. It was to the effect that "we" (presumably the democracies) would "show them" (presumably the axis powers). A number of American reporters had straggled up in time to hear these words, but Walter Thompson and George Steward, respectively Canadian and British public-relations aides of the King, persuaded most of them to agree not to report the incident. One American who tried first to telegraph and later to telephone the story found the Canadian communications office would not handle it.

And Washingtonians observed the monarch's half-hour tête-à-tête with J. P. Morgan at the Embassy garden party. No matter if the conversation concerned nothing more serious than the abominable weather, Senator Nye may turn the circumstantial evidence to his account in the forthcoming Senate battle over a new neutrality act. In Nye's inquiry on the causes of America's entry into the World War, Morgan was played up as the man who arranged British loans in this country and later was instrumental in drawing Washington in on London's side.

No one but the principals knows what President Roosevelt and the ruler discussed during their hour-long chat after midnight in the second-floor oval study at the White House. But British journalists in the King's entourage seemed somewhat to give the show away. G. Ward Price, of the powerful Rothermere newspaper chain (headed by the London Daily Mail), spoke frankly of the purpose behind the British Government's insistence on the United States visit and followed up by inquiring whether veteran Washington correspondents thought the visit might have the effect of abating traditional congressional skepticism toward British statesmanship. He asked particularly whether there was any prospect, as a direct result of Their Majesties' tour, of modification of the Johnson Act to permit loans to Britain in the event she became involved in a war which Price thought might very well come this summer or fall. Another British correspondent quite candidly asked an American newspaperman: "Will you be with us if we have to fight these madmen?"

Most of the Washington correspondents gave the inquirers a realistic answer: the royal visit had not, they felt certain, changed the views of the Senate "bitter-enders" who have sworn to oppose any weakening of existing laws designed to keep the United States free of anything vaguely suggesting an alliance. BORAH, CLARK of Missouri, and CLARK of Idaho, for example, told Newsweek this was the case, and the word was passed along to the British.

The consensus in Washington, as throughout the country this week, seemed to be that if Whitehall had planned the royal excursion as a purely social gesture of good will, it was an unqualified success; but that if the British statesmen had had any thought of using Their Majesties' charm to undermine such safeguards as the Johnson Act, they underestimated the breadth and depth of isolationist sentiment in the United States.

[Here the gavel fell.]

MR. FISH. Mr. Chairman, I yield 3 additional minutes to the gentleman from Ohio.

MR. SWEENEY. Attempts will be made to amend certain features of this resolution to attract some votes. Emasculate if you will, but the meat of this measure is lifting the arms embargo. A year ago the Congress was under pressure to lift the arms embargo in favor of one side or the other in war-torn Spain. You stood your ground at that time and refused to aid either party to that controversy, which was not of our making. That war ended. Had you yielded at that time to the pleas to lift the embargo in favor of either side in Spain that war would have gone on and we would have been indirectly guilty of killing additional thousands of Spaniards on both sides of that horrible conflict.

Let me take you back to April 6, 1917, in this Chamber on Good Friday night, when the World War resolution was being considered, and I get this from some of the Members of Congress who were here and who voted for war. Party loyalty was the slogan. Stand by the President was the watchword. Some of the Members were misinformed as to what the issues were. Into this Chamber came Postmaster General Bursleson. He took men back in that cloakroom and said, "Boys, this is only a bluff. We are bluffing the Kaiser and the Central Powers. There will be no American boys go to Europe; the war will be over in a few months. Vote for this measure. And what can I do for you by way of rewarding you with a postmastership, or other consideration?"

I have talked with some of those men since and they have told me their dreams are haunted and will be haunted until they die because they literally felt that the blood of 67,000 American boys who were murdered on foreign soil was on

their hands. Right here is sitting a man, my good colleague, this fine gentleman from Ohio [Mr. ASHBROOK] who was a Member of that war Congress who was disillusioned. He voted for war. His rest has been disturbed many times since, and he has publicly stated time and time again that given the opportunity he would never again vote to send American boys to foreign battlefields. I know how he will vote on this measure. I hope we can see it in our wisdom, as he does, and go along with men like Mr. ASHBROOK. [Applause.]

MR. CHAIRMAN, no matter how this measure is amended, the public will, in my opinion, construe the passage of this resolution as a radical change in our foreign policy and a direct step involving our Nation in another foreign war. It is designed to help the synthetic democracies of Great Britain and France, who have the ships and are well equipped to secure the merchandise and implements of war necessary to destroy human life and property, as against other nations who are not so well equipped.

If the arms embargo is lifted, then I predict shortly thereafter the machinery to repeal the Johnson Act will be set in motion. More loans to foreign nations will be made by generous Uncle Sam—loans to carry on the insanity of war; loans that will never be repaid. Who will benefit by such a policy? The same group of international bankers and ammunition makers who profited by the last World War.

It is just possible before many months, if we pass this resolution, that this Congress will be called into session to declare war on one or more foreign nations. Before that day arrives—and God forbid it does—I trust every Congressman who has by his vote the constitutional power to declare war will read the life and letters of our wartime British Ambassador, Walter Hines Page. He reveals a startling story of intrigue and deception that brought our beloved country into that horrible catastrophe.

Well do we remember the national political campaign of 1916, when Woodrow Wilson was elected President of the United States for his second term on the issue of having kept us out of war. In his letters Mr. Page indicates that the die for our entrance into the World War was cast many months before April 1917, and that a campaign of false statements and delays were invoked to assure the reelection of President Wilson.

That the American people were betrayed during that period there can be no doubt in the light of history. Our task is to prevent a repetition of 1917. If we must make munitions and implements of war, let us make them to be used in the event our Nation is invaded by a foreign foe. In God's name do not let us be the tools of selfish manufacturers of cannon, shrapnel, poisonous gas, and other implements of human destruction.

Europe has been a battlefield for the past 2,000 years. There is scarcely a foot of her soil that has not been at one time or another soaked and fertilized with human blood. The lust for war still prevails in Europe today. As the only democratic nation still surviving in this world, let us take a definite stand and inform the war lords of other lands that we are, so far as war is concerned, isolationists; that we are steeped in the traditions of George Washington; that we will have no entangling alliances with foreign powers. If we do this, at least we will have minimized the war business with other nations who depend upon us to pull their chestnuts out of the fire, and we will have made a substantial contribution toward peace and international good will.

MR. CHAIRMAN, if this resolution passes lifting the arms embargo, there will be rejoicing in London, Paris, and Moscow. There will be only fear and sorrow in the homes of millions of our citizens, who are already bowed down because of economic and social dislocations primarily caused by the last World War. Let us have courage by our action today in saying to the leaders of Germany, Great Britain, France, Italy, Japan, Soviet Russia, and every other power girding their loins for war that we will not become the policeman of



the world; that we do not believe in the insanity of war; that we are equipped to mind our own business; and that we expect them to do likewise. [Applause.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, war or peace is not a Democratic or a Republican issue, nor is it exclusively an issue for Congress but rather an issue for the American people. It is an issue for the fathers and mothers whose sons may again be called upon to give their lives on foreign battlefields because of our mistake here. Someone may again wish to make the world safe for the so-called democracies—for the House of Morgan—for the international bankers.

Neutrality. There is no neutrality in the resolution now under consideration. We have been rather free in criticizing certain one-man governments. Yet, if this resolution is enacted into law, it will make it possible for one man—the President—to bring about conditions that will lead to war. That power, I am sure, is more than we are willing to give to any President that we have ever had or ever will have.

Is not the greed for power more dangerous and destructive than the greed for wealth? All history tells us that power is always deaf, dumb, and blind. It always has and always will be abused. Why should we in this country wish to ape Stalin, Mussolini, or Hitler? Why should any one man want the power of life and death over the sons of America? If such an ambition—desire—exists, and I do not believe it does, then it is an unworthy and insane desire.

I do not care who wrote this resolution. That is not the issue. The question is whether we, not as partisans but as guardians of the youth of this Nation, will enact it into law. I am confident that this Congress will not so far forget its responsibility to this Nation as to give any President, now or hereafter, the power asked for in this resolution—the power to bring about a war of aggression.

Presidents are just human beings. We glorify them, but, like the rest of us, they are just human. They are not infallible. They possess no divine wisdom, nor do they possess virtues or honor or greatness independent of "We, the people." They have their likes and dislikes the same as you and I. Sometimes they enter into flirtations with some foreign nations, and sometimes dislike or even hate others, depending upon their childhood environment and preconceived notions.

Fortunately, under our Constitution you and I and all of us are "We, the people." We are 48 States—but one Nation. Under our form of government Congress, and Congress alone, has the power to declare war. No President should ever be given the power to bring about conditions that lead inevitably to a foreign conflict.

This resolution, if passed, will be misunderstood by foreign nations. It will be too readily accepted by the so-called democracies that grabbed everything in sight, after we won the World War for them, as an act of approval. These nations now refuse to let go of the ill-gotten gain. They send kings and charming queens to us. But let us warn them that we will not defend these stolen colonies with the blood of our youth. No one man or set of men will ever be given the power to pledge the youth of this Nation to any foreign nation, except Congress representing the sovereign people.

While other nations, if we pass this resolution, will consider it as an unfriendly act. These nations feel that we have deserted our time-honored policy of "no foreign entanglements." They feel that we have been and are meddling in European affairs. For some unknown reason false propaganda has been spread in this country to rouse our prejudice and hatred toward some nations while glorified falsehoods have been spread in favor of other nations. But, fortunately, we all know that there are few angels to be found among European governments.

We all know that there was no difference between the forceful annexation of Ethiopia, Czechoslovakia, or the Boer Republic. The destruction of these governments was brutal on the part of the nations who destroyed them, but not one of these destroyers, whether it style itself a democracy or a dic-

tatorship, is in a position to point with the finger of scorn at the other and say, "I am holier than thou."

If Great Britain and France really wish permanent peace, I will give them a prescription. Let them return the colonies they grabbed after the World War and let them fulfill the promises they made to Italy, and then I am sure the war clouds will pass. When that happens there will be no need for democracies to talk both hot and cold in the same breath. They will then not be compelled to denounce some dictators and in the same breath sell their souls for an alliance with another dictator.

This resolution is dangerous. In its vague language it conceals the possibilities of an indirect declaration of war. It gives this power to one man. It is the first step to an alliance with Great Britain—which nation, history reveals, has destroyed or annexed more nations and more people than all the other nations in the world combined.

We made a mistake in 1917, but we are stupid if we repeat it. If all the facts had been made public, we would not have entered the World War in 1917. If Congress had known that our Ambassador was secretly urging a declaration of war on Germany in order that our people could be fooled into protecting world trade for Great Britain, there would have been no declaration of war.

On March 5, 1917, Ambassador Page wrote Secretary of State Lansing:

France and England must have a large enough credit in the United States to prevent the collapse of world trade and of the whole European finance. If we should go to war with Germany, the greatest help we could give the Allies would be such a credit. \* \* \* Unless we go to war with Germany our Government cannot make such a direct grant of credit. \* \* \* The pressure of this alarming crisis has gone far beyond the ability of the Morgan financial agency for the British and French Governments. \* \* \* Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and a panic averted.

It is now clear that we gained nothing by selling war material to the allied governments before we entered the war. The truth is, we ourselves paid for the war materials and enriched the House of Morgan and the war profiteers at our expense and made a present of these instruments of death and destruction to the allied governments. At least so far, they have not paid for the materials. They still owe us \$15,000,000,000 and refuse to pay. Again I read—

By April 6, 1917, Great Britain had overdrawn her account with J. P. Morgan to the extent of \$400,000,000 and had no cash available with which to meet this overdraft. (See Life and Letters of Walter H. Page, vol. 2, p. 272.)

This overdraft was paid Morgan out of the First Liberty Loan.

Why deceive ourselves? We know that the American people want real neutrality. They do not believe in foreign alliances and entanglements. The fathers and mothers are fearful of their son's future. They demand a neutrality that will prohibit the financial monarchs and the war profiteers from dealing in or selling to any nation—in peacetime or in wartime—the instrumentalities of death and destruction. They are opposed to having anyone at any time sell implements to foreign nations with which they can destroy their own or other nations' people.

They know that all war is manslaughter. Mark Twain, in his Mysterious Stranger, has Satan tell us:

There has never been a just one, never an honorable one—on the part of the instigator of the war. I can see a million years ahead, and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. \* \* \* Before long you will see this curious thing: The speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with these stoned speakers—as earlier—but do not dare to say so.

This Nation is dizzy with war propaganda. The munition manufacturers and the war lords are again in the saddle, riding high, wide, and reckless on the crest of false propaganda—reckless with the public's conscience and with other people's agony. These are again attempting to monopolize patriotism. They are again wrapping the flag of glory around

themselves and making millions out of the blood and the tears and the agony of an agonized world.

I repeat, let us stop them by passing a real, not a make-believe, neutrality act. Let us prohibit the sale of munitions, arms, airplanes, armaments, and army equipment to any nation at any time. Then let us provide for an embargo against any nation or nations during a civil or a foreign war, except food and clothing for the civilian population only, to be distributed through the Red Cross or similar organizations.

Let us follow the warning of the Duke of Windsor, who warned us to be on our guard against propaganda from whatever source it came. The world is crying for some nation that is sane enough and big enough to talk peace in place of hatred and war. Shall the United States be that Nation? The answer to that question rests with us.

We must never permit our patriotism to be dimmed or divided because of religious or racial differences. Tolerance and forbearance is our watchword. We shall continue to extend the hand of good-fellowship to all. We shall not permit the religious or racial hatreds of Europe to be transplanted to our shores. We will not again permit ourselves to be engulfed by the war-mad insanity of Europe.

I know that the Members on both sides of the aisle realize that this issue transcends party lines. I know that the Members of this House do not sanction the sale of instruments of death and destruction. I am sure that we will rise to the occasion and not sanction profits stained with the blood of innocent men, women, and children. I am confident that we will defeat this resolution because an enlightened, humane public conscience will compel us to. We are through forever with European entanglements. We learned our lesson in 1917. [Applause.]

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, since the address of the gentleman from Ohio [Mr. SWEENEY] who quoted Mr. William Green, president of the A. F. of L., I have called on the telephone Mr. Stephen Chadwick, national commander of the American Legion, and I am authorized by him to say that the veterans of the World War as represented by him and the American Legion, stand for a policy of strict neutrality. That may not necessarily require a law for strict neutrality, but they insist upon a policy of strict neutrality to prevent American boys having to go abroad to fight the battles of somebody else again.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman 1 additional minute.

Mr. GEYER of California. Did he make any statement as to how he felt on this bill?

Mr. HINSHAW. He did, but not for publication. He is not authorized to do so by the executive committee.

Mr. GEYER of California. Then, probably, his other statement is not for publication either.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. SHANLEY. Is the gentleman willing to say that strict neutrality means the precedents of international law?

Mr. HINSHAW. Will the gentleman repeat that, please?

Mr. SHANLEY. Does the gentleman think that strict neutrality, as probably given to him by Mr. Chadwick, means the precedents or principles of international law?

Mr. HINSHAW. Exactly so.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Chairman, as a man who, at the age of 49 years, voluntarily put on the uniform of the United States and wore it for a year, I never hear the statement made on this floor or elsewhere questioning the justice and the right of this great country in that war without resenting it to the bottom of my heart as an insult to the 4,000,000 men who wore the uniform, to the flag they followed, and a stain on the place in history of the greatest nation on the face of the earth.

I am the son of foreign immigrants, but I am just as good an American as the people whose ancestors came over on the *Mayflower* or as any man who ever breathed the air of America. [Applause.] Perhaps that statement may be a necessary preliminary to one or two other things I am going to say.

In my brief time I must limit myself to some scattered observations, without elaboration. I expect nobody to agree with all of them, and somebody may agree with none of them.

First. If the present mandatory embargo on arms, munitions, and implements of war favors the dictators, and this is admitted; and if the pending bill favors the democracies, and this is the claim of its enemies, that fact alone is sufficient consideration for my support of the bill. [Applause.] First, last, and all the time, I am for the democracies and against the dictators; and I am for them, Neutrality Act or no Neutrality Act.

If the emergency arises, I have the utmost faith that that will be the attitude of the overwhelming majority of the American people. The World War forever fixed my faith in the loyalty and patriotism of all groups of the American people, regardless of race or creed.

I am in complete disagreement with the Republican Members who file down here in the Well, one after the other, and shout England, France, and Russia. I hope Russia may stand with the democracies. I believe if it were known that she would, the war in Europe would stop now. Russia is the only unknown quantity in Europe. These party shouters come down here in the Well and scream war, war, war—England, France, and Russia—and by every innuendo seek to tie the administration in Washington up with them. Indeed, the more reckless shout that we are already tied up. Is it significant that not one of them ever mentions the dictators? Not one. Why not?

Second. When you pass a neutrality act you fix and publish to the world the rules under which you will play the game and which must remain fixed after the game starts. To change the rules then would be an unneutral act. When the game starts all the nations of the world will be players, actively or passively, and none of them but the United States will be tied down with fixed rules. All the others will move as the game develops and their interest dictates, the friendly powers to their private gain at our expense, and the enemy powers to force our hand, and underneath it all we will be as unneutral as the game itself. Japan knows that we are for China. Germany knows that we are for Czechoslovakia and Poland. Italy knows that we were for Ethiopia. They all know where we stand on every major international quarrel. In the end our lot will be the World War over again.

Third. The minority report in one breath charges the President with seeking power through section 3 to name and penalize an aggressor. And in the next breath he is charged with failing to exercise that same power in the Asiatic war and his impeachment for such failure is demanded. Both charges are made by the same persons. It raises the question, When does an isolationist become an interventionist?

As an example, the minority report, referring to the provision empowering the President to define an "area of combat," which would be closed to American citizens and American vessels, says:

With this power the President can effectively quarantine an aggressor from American ships and citizens by simply naming the aggressor as a "combat area."

The President is, of course, assumed to be seeking this method of fixing aggression on a warring power. He wants this indirect method of naming the aggressor.

Then, on the next page, comes the direct charge that he has failed to use the power he already possesses to name an aggressor. Says the minority report:

In spite of the mandatory requirements of existing law, the President has failed to "find" the existence of the gigantic war in China.

If the President had found "the gigantic war in China," the next step required of him would be to place an embargo against Japan and China, which would have affected only Japan, which has been receiving more than half of all her



war supplies from the United States. Such action would have been tantamount to naming and penalizing Japan as the aggressor. Everybody knows this. In sum, he wants a power which he is refusing to use.

Fourth. If the President declared an Asiatic embargo, it would operate only against Japan and would be considered by Japan as naming and punishing her as the aggressor. It would immediately end all commerce between the United States and Japan. None of the other signatories to the Nine Power Pact, no other nation in the world, would join the United States in this action. It would stick its neck out alone. All the other nations would hold out and then rush in to take over the market we had abandoned. The reason the President did not lay an embargo against Japan is that he had better sense. The more I hear some people up here on the Hill the more I thank God Roosevelt is President. [Applause.]

If the minority want to keep this country out of war, and for 2 days they have shouted themselves hoarse that they do, how do they reconcile their protestations with their constantly iterated insistence that we mix into the war in Asia.

If there is any doubt whether the authors of the minority report want this country to mix into the war in Asia it will be dispelled by the following meaty paragraph from the minority report:

We have let our excitement about what may happen to our remote interests in Europe blind us to what is now happening to our immediate interests in the Pacific, where our treaty rights are being violated and our national interests threatened every day. We feel certain that if we had solved this immediate far eastern problem first it would have gone far toward solving the rest of our international problems.

Fifth. The trouble with a neutrality act is that it never fits the picture. As the gentleman from New York [Mr. WADSWORTH] said in his able and statesmanlike speech yesterday, you cannot lay down rules to govern the unknown and unpredictable.

We passed the first neutrality act in American history 4 years ago and we have been doctoring it up ever since. We doctor the first Neutrality Act to make it fit the civil war in Spain and laid an embargo that helped the dictators set up a Fascist government in Spain. Spain will now be a hopping-off place for the dictators against South America. This puts them only half the distance of the United States from South America. The next step will be to advance their aviation frontiers to islands off the west coast of Africa. The Spanish dictator has conceived the grandiose scheme of again gathering the Spanish-American nations under the mothering wing of Spain, and he will have help. This takes in all the territory between the Rio Grande and Patagonia.

I fear the democracies will rue the day that they starved out the Loyalist government of Spain, and thus contributed to the triumphant reviews of the victorious Fascist forces in Madrid, Berlin, and Rome. There is no dissimulation now as to who won the Spanish war.

Sixth. Neutrality, as Mr. Hoover said of prohibition, is a noble experiment, and equally futile. Drinking killed prohibition and fighting will kill neutrality, provided the common sense of the country does not kill it before the fighting starts.

I wish with all my heart that this legislation would insure the result the people are looking to from its enactment. No sane man could want to see 1917 over again. The world has been haywire ever since. Another such war might wreck it.

Seventh. The apparent need for a neutrality act is that in the last war Germany repealed international law. Since then the unholy trinity has come into the picture, all imbued with the same ruthless philosophy. They have banded together under the slogan of the three musketeers—"all for one and one for all." Might makes right. Neutrality acts, like peace treaties and international law, will be scraps of paper. Necessity knows no law. It is my will, says the dictator.

The world stands with bated breath today waiting for the next blow. It is not a question whether it will fall, but when and where. In less than 3 years the axis powers have accumulated a most impressive string of scalps: Ethiopia, Austria, Albania, Czechoslovakia, Spain, and China. They are fully panoplied for war and they are on the march.

Eighth. The minority report is a characteristic mixture of inconsistencies bearing the earmarks of its authorship. You could write two or three different neutrality acts out of it. I would suggest that the author put an enacting clause on it and offer it as a substitute for the pending bill. If it passed, we would, perforce, disagree as to what it means and do nothing, which is the wishful thinking of neutrality acts.

Ninth. What is the question before the House in the minds of the minority—neutrality or the next election? For more than a year they have been putting on a national campaign of frightfulness with Roosevelt dragging the country into war as the bogeyman. They are in danger of running out of gas before November 1940. Selling American patriotism and courage short is a doubtful gamble on the political market. Long-headed Republicans do not think a campaign of little America the road to the White House, but the pumpkin-headed variety seems to be in the majority. [Laughter.]

Tenth. There is no sure way to keep out of war, but the surest way is to be able to keep out, meaning to be able to go in. We are getting ready to stay out. There is a reassuring implication in the objection to lifting the embargo on arms. The implication is that in the next war we will have arms to sell. We fought the last war with the arms of the Allies.

Eleventh. I stated that I would support this bill, and I will. I have supported all of these neutrality acts, but with my fingers crossed. It will be the same with this. What I am really for is section 16 of the bill, which repeals all neutrality acts.

Twelfth. Victor Berger in a neutrality debate on this floor nearly 30 years ago—for this is no new subject; England and France made a neutrality pact ending war 140 years ago, then Napoleon came along—Victor Berger said, and it has stuck in my mind ever since:

Neutrality is a fine thing if you are able to defend it.

Let us be able and unafraid. [Applause.]

This country got along without a neutrality act for 145 years and in that short space of time it reached first place among the nations of the earth. No other nation has such an act. What great power in the world is so neutral as ours? What great power in the world has a comparable record? We asked and received not a foot of territory out of the World War, not a mandate, not a dollar in reparations. We asked nothing. In the Boxer Rebellion we were the only nation participating in the restoration of order in China, which returned its share of the indemnity to China; returned it as a contribution to Chinese education. What other nation in the world would voluntarily relinquish the Philippine Islands? What other nation in the world would not have taken Cuba, under the same conditions? We have substituted the good-neighbor policy for dollar diplomacy with the use of the marines as collectors, the policy of this now wonderfully pacific Republican Party. What other nation in the world has unfortified frontiers, 4,500 miles of it, and not even a pill box from one end to the other? What nation on the American Continent, however small and defenseless, has the slightest fear of the United States?

The answer of all these questions stamps as damnably false every utterance, every implication, that the administration at Washington wants war, or wants this Nation to become involved in a military way with the affairs of the other nations.

Mr. Chairman, in the light of our experience with past neutrality acts, I favor discretion in the administration as against a bill of particulars in the law. As soon as the bill of particulars is fixed in the law, Congress as a whole, and its individual Members, will cease to function, but the administration, with its constitutionally created agencies and responsibilities, must carry on.

Unless I know clearly that I should go contrary, I shall give the President the benefit of the doubt. It is his responsibility above that of every living man in America, and it is our history that Presidents have not led the country into war but have been driven into war.

The Democrats in Congress should be heartened by the fact that practically every great newspaper in the United States, and practically all their staff of correspondents here in Washington, are criticizing and condemning the course of the minority in Congress as playing petty, partisan politics with vital national and world problems.

The President knows that if this country becomes involved in war it will wreck his great domestic program, just as the World War wrecked the great program of Woodrow Wilson. He knows that the stake of this program is far greater than anything that could come out of another dogfall like the World War. At such a time as this, a truce ought to be called on political President-baiting. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, while I feel as keenly about the bill now before the Congress as any that has been here during my service, yet I had not intended to say anything, and would not, but for the fact that my friend and colleague the gentleman from Ohio [Mr. SWEENEY] took occasion to use my name. He had the privilege to state to you that I expected to vote against this bill, but for fear that somebody might construe from his statement that I conveyed to him the information that my late friend, the Postmaster General, Mr. Burleson, of Texas, had attempted to exert any influence upon the Members of Congress at that time to vote in favor of a declaration of war, I want to say to you that to my knowledge nothing of the kind ever occurred. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ASHBROOK. In fact, I want in fairness to state that no one in authority at that time, no one from the President down, attempted to use any influence upon me; but there was a most tremendous and widespread propaganda in existence at that time. My deep convictions were then to vote against a declaration of war. I was submissive and weak enough, I confess with humiliation, finally to yield to the propaganda and to vote for the declaration of war, but I have regretted it from that day to this, and I do not, therefore, intend by my vote to take any chances of involving the United States in another world war, and for that reason I expect to vote against the present neutrality bill. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman, I was in the hall a moment ago when the gentleman from Ohio [Mr. SWEENEY] made the statement to which the gentleman from Ohio [Mr. ASHBROOK] referred. Like the gentleman from Ohio [Mr. ASHBROOK], I was a Member of the Congress on the night of April 6, 1917. The gentleman from Ohio [Mr. SWEENEY] was not a Member of Congress at that time. I knew Mr. Burleson, a distinguished citizen from my State, for many years, and I do not care who the informant of the gentleman from Ohio [Mr. SWEENEY] was, when he made the statement to Mr. SWEENEY that Mr. SWEENEY reported on this floor he stated an utter untruth.

Mr. SWEENEY. Mr. Chairman, I did not get the significance of the gentleman's remark.

Mr. RAYBURN. I say I do not know who the informant of the gentleman from Ohio was about the conversation of Mr. Burleson here on the night of April 6, 1917, but I do say his informant spoke an untruth.

Mr. SWEENEY. That may be so, but I got it from the lips of three former Members of Congress.

Mr. RAYBURN. There was no such propaganda on this floor or in this Chamber, and the gentleman from Ohio [Mr. ASHBROOK], or I would have known it if it had been going on. I think it is so unfair, it is so out of place for a Member to rise on the floor of this House and repeat

gossip or hearsay testimony about a man who is sleeping an honorable and endless sleep. [Applause.]

Mr. SWEENEY. Mr. Chairman will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FISH. Mr. Chairman, I yield one-half minute to the gentleman from Minnesota [Mr. KNUTSON] who was here at that time.

Mr. KNUTSON. Mr. Chairman, I was here on the night of April 6, 1917. It was the first sitting of Congress that I had ever attended. I remember very distinctly of having Mr. Burleson, who was on the floor that night, pointed out to me as the Postmaster General. However, I do not know what he was doing up here.

Mr. PATRICK. He was the Postmaster General, was he not?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ASHBROOK. Will the gentleman from New York yield me one-half minute to reply to my colleague?

Mr. BLOOM. I yield one-half minute to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Chairman, I would like to inquire from my colleague and friend, the gentleman from Ohio [Mr. SWEENEY], whether or not he ever received any information such as he stated on the floor from me?

Mr. SWEENEY. I will say I did not, but I did receive this information from the gentleman, that you felt that your dreams were disturbed to your dying day.

Mr. ASHBROOK. That is absolutely true, and I do not propose to take the chance of having them disturbed for the remainder of my days by voting for this bill. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, ladies and gentlemen of the Committee, there have been a great many acrimonious statements made on the floor during this debate. I do not propose to engage in anything of that kind.

Mr. Chairman, to me the foremost problem confronting us today is how to keep the United States out of any war that may break out in Europe.

The people of this country are overwhelmingly opposed to war; the Members of this Congress are just as overwhelmingly against war. And yet none of us can assure the mothers of the Nation, the youth of the Nation, and all the other citizens harried by the threat of conflict, that war will not come.

As I see it, now is the time to take preventive measures, through the adoption of a neutrality policy that shall make clear to all nations our stand in case of another world war.

Study of the resolution before us convinces me that it will help to prevent the outbreak of war in Europe and that it will go a long way to prevent our being drawn into such a war, if one comes.

The existing Neutrality Act would prevent the exportation of arms and implements of war to all belligerents. But it neither prevents nor restricts the sale and transportation in American ships of supplies necessary to warring nations, such as cotton, oil, steel, foodstuffs.

Plainly, the existing act exposes us to the imminent danger of being drawn into a European war. Let an American ship carrying American commodities be stopped or sunk by a belligerent, and war would follow, as it did after the sinking of the *Lusitania*. Nothing could stop it.

We who are opposed to war are determined to prevent such a possibility. And that is why we who are opposed to war are supporting this resolution. It prohibits the transportation of war materials or any exports in American ships. The cash-and-carry provision permits the sale of goods for cash to those who can take them away. When exports leave our ports, under the provisions of this resolution, they will not be owned by Americans, and they will not be carried by American ships. If the carriers are attacked in transit, it



is none of our business, and we will have no cause to go to war about it.

That this resolution with amendments would indirectly help the democracies, which happen to have control of the seas and embarrass the aggressor nations, is in line with American public opinion, as it is in line with our best interests and our fixed determination to keep out of war.

Because I want to help to prevent a European war and because I realize that the threat of war comes from the aggressor nations, I had hoped to have the opportunity of voting for the Thomas amendment, which so clearly warns aggressors and thus presents the strongest possible deterrent to war.

Whatever happens, I wish to state here my firm intention of never voting to send American forces to fight in any foreign war. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Wyoming [Mr. HORTON] such time as he may desire.

#### NEUTRALITY

Mr. HORTON. Mr. Chairman, if you are really looking for trouble, just get out in the middle of a bull pasture and wave a red flag—you will get a peck of it right now.

The raising of the embargo against the shipment of implements of war may very well be the remaining step necessary to plunge us into a pending European war.

You cannot effectually pull off a successful hold-up with any of the component parts of a six-shooter. It takes a loaded shooting iron to do that trick, and that kind of an instrument is no plaything for one too quick on the trigger to be fooling with.

There is a real difference between the shipment of those parts which go into implements of war and the shipment of the finished ready-to-go engine of war.

As it is, we have had too much provocative flag waving in the way of loose war talk from those in high places. Their inflammatory pronouncements, coupled with the insistent demand for the greatest army, navy, and air armada of all time, make us all wonder whether we are faced with a Napoleonic ambition over here which is about to challenge the Caesar over there in world conquest. It might be well at this time to recall the words of Lincoln which were uttered more than 100 years ago:

Many great and good men, sufficiently qualified for any task they should undertake, may ever be found whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a Presidential chair, but such belong not to the family of the lion or the tribe of the eagle. What! Think you these places would satisfy an Alexander, a Caesar, or a Napoleon? Never! Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction, and, if possible, it will have it, whether at the expense of emancipating slaves or enslaving free men. Is it unreasonable, then, to expect that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time spring up among us? And when such a one does it will require the people to be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his design.

If we have a Napoleon in our midst, may his Waterloo be a personal one rather than one which will involve the entire Nation. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Indiana [Mr. SPRINGER] such time as he may desire.

Mr. SPRINGER. Mr. Chairman, referring to the bill now before the Committee and to the matters therein contained, may I suggest that the House has not had a more important measure before it this session than that embraced in the neutrality legislation presented.

This proposed legislation is not important solely by reason of the fact that it deals with neutrality and the development of our foreign policy, but it is highly important from the standpoint that it repudiates all former legislation passed by the Congress respecting this highly important subject and seeks to chart a new, novel, and a vastly different course than that which has heretofore been established and followed in this country. If the Bloom bill should pass, by a vote in this House, we would embark upon a new plan of neutrality; we would, by the passage of this proposed meas-

ure, enter into a new "experimental field" respecting our foreign policy; we would, by the approval of this pending legislation, sever the ties that bind us to a wholesome policy—one which is thoroughly and truly American—and a policy which now vests the right and power of determining the policy of this Nation in the Representatives of the people.

When we refer to "neutrality" we are constrained to believe that such word means to "remain neutral." Webster defines it as "being unbiased"; "indifferent"; "taking no part on either side of a contest"; "to render inactive."

Therefore, if we, as a great nation, are to adopt a policy of neutrality which meets the general demand of the people—and the people want a strict neutrality observed by our country—we must pass that legislation which will maintain an attitude of utter indifference in this country with respect to warring nations; and such legislation, if any new legislation is to be passed upon this subject, should require that we take no part on either side of any contest in the event of controversy or war between any other nations. Our position should be maintained as entirely neutral, in such event.

As we look into this very vital question, may I suggest that there are two ways in which our country can aid in keeping our Nation at peace: First, by helping to prevent a European conflict; and, second, by minimizing the chances of our entanglement if such a war cannot be averted.

As we view this issue, and the possible involvements, we must keep in mind as our outstanding thought that we must keep the United States out of war—and, at the same time we must preserve our international independence; we must retain our freedom to exercise our sovereignty as a nation, and at the same time prevent our own people and other nations from involving us in any foreign war.

While the general debate in this Chamber continues on this subject, many of our people may take the position that we should remain wholly isolated, as a nation, in the event of war between foreign countries, while others take a more liberal view of the situation and advocate that limited sales be approved on a cash-and-carry basis; and with all of the varied opinions of our people the real crux of our neutrality policy should be that we should abstain from the commission of any overt act, respecting any contending nation, which would in any manner involve our country in any war. And in formulating our policy of neutrality it would be wise, in my opinion, to require our ships, no matter what cargo they carry, and our people, to remain entirely out of the war zone. This would obviate, insofar as a legislative policy can do so, the possibility of the overt act which might involve us in war.

We must remember we have our international laws which are our safeguard. It has been suggested by some of our people that with a strict Embargo Act against the transportation of arms, munitions, and war supplies that our neutrality will be retained quite as secure as by the passage of additional laws on this same subject. I am in full accord with this view which has been expressed by so many of our citizens. We must remember the will of our people, regardless of legislation upon this subject, will be the dominating factor respecting our neutrality. If our people continue to insist upon visiting foreign countries, even though a state of war exists, or if our business and industries continue to make sales of war materials to warring nations, then we can have a neutrality in name only and not in fact. Our neutrality must be that plan by which we take no part, either directly or indirectly, in any controversy between nations.

I am opposed to the Bloom bill, because it vests the sole determining power in the President of the United States. This measure does not apply to the present Chief Executive alone, but the provisions of this bill extend to all Presidents of this Nation. The right and power of determining our foreign relations, and any plan of neutrality we may adopt, should rest in the hands of the Representatives of the people—the Congress. Therefore, I shall not cast my vote to transfer that power to any President—no matter who that President may be. This is an inherent right in the people, and their chosen Representatives should never shirk that grave responsibility which rests upon them.

Lastly, Mr. Chairman, we want peace in our country—not war. The people of the United States of America want a permanent peace. We have not forgotten the pall which came to us in 1917 when war was declared; we have not brushed aside the tragedy of it to this late day—the cost in life, the disaster of disability, the expenditure of money, the broken homes, and the saddened souls all make up the aggregate cost of that war.

It is quite true that if necessity should demand it we would appropriate all the funds which would be reasonably necessary to defend our shores, our homes, and our institutions, and to adequately and properly defend our own country; and the manpower of this Nation would respond, as never before, in defense of our own land. But we have had the experience of fighting across the ocean. We want no more of it.

Our vote on this measure may be quite as important as was the vote, taken in this Chamber, for the World War. Let us make no mistake in our ballot. If this bill should pass and we should be led into another war, then let me say that I confidently believe that a vast majority of this membership will never cast a vote to send any American boy across any ocean to help fight in any foreign war in which we have no concern.

Let the wisdom and the courage of this body rise to the heights essential to pass such laws respecting neutrality which will make America secure in the avenues of peace. [Applause.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. STEFAN] such time as he may desire.

Mr. STEFAN. Mr. Chairman, I rise in opposition to the Bloom bill which is called a neutrality bill and which in my opinion is an "unneutral" bill. I cannot support it and am determined to fight against its passage in its present form. The very fact that it eliminates the embargo on arms to belligerent nations which is in our present neutrality bill is one good reason why it should be defeated. No one in the district which I have the honor to represent has asked me to support this legislation. I have scores of letters from my own people asking that I oppose it. Not a single soul in the 22 counties of the third district of Nebraska has written me asking me to support it. I feel at this moment that the 50,000 American soldier and sailor dead, whose lips are voiceless and whose tongues are silent, would approve of my action. On the other hand, I believe that the munition makers and those who are so anxious to lead us into another world war would frown upon what I have to say here.

Mr. Chairman, I have listened to every word of debate on this bill. I have read every word of the bill and have discussed it with leaders on both sides of the aisle. I have discussed it with men who are in this body today who were here on the night of April 6, 1917, when the war declaration was passed and which drove us into the World War. I have talked to the man who is with us who voted against that declaration and I have talked with a Member who voted for it. Both of them are opposed to this legislation because they fear it is a step which will plunge us into another world war.

In the gallery with us today we see two people who represent a nation which is neutral and which represents those Scandinavian countries which believe in strict neutrality. They are the Crown Prince and Princess of Norway in whose veins runs the blood of Swedes and Danes. Close as their country is located to the scene of much turmoil and strife they are here listening to this debate which has such a great bearing on international affairs. I hope we can remain as peaceful and neutral as their country.

Mr. Chairman, only recently into this historic building came the King and Queen of England. During their visit we had sort of a gentleman's agreement to hold an armistice on war talk. No sooner had these visitors left our shores than we receive this unneutral bill. There may be some significance in the sudden arrival of this bill and the allegations that we are in some way trying to form an alliance with Great Britain and France. I am opposed to all foreign entanglements and alliances which would involve us in another war. I believe a majority of the people I represent are against all

foreign entanglements which may lead us into any kind of war. Just think of it—from the day Christ was crucified on Calvary there has never been a year without a conflict of arms. We all know that greed has been the impulse of war; the desire for power and territory; desire for plunder and loot; ambition to rule in the place of someone else. Wars of all kinds, all of them based on greed. Let us resolve here to keep out of all wars.

I am opposed to this bill because I believe it is an un-American bill; that it is a brazen attempt of interventionists to involve us into the international racket of finance and munitions manufacturing. If we pass this bill it will mean in my humble opinion, an involvement into foreign politics, and will be followed by a demand for another debt settlement on the basis of a dime on the dollar.

We who sit here daily and sit in committees hour upon hour debating over legislation which affects the lives of every man, woman, and child in our Nation, see steadily the foreign entangling process. We see daily our attention diverted from the necessary things to be done at home to the troubles and problems in foreign lands.

We see our Nation discussing reciprocal-trade agreements which we from the farming districts feel may result in trading off our own farm markets to the foreign farmers. We see our Government loaning money to foreign nations to rehabilitate the foreigners; we see our Government trading in foreign exchange; we see our Government aiding in the sale of airplanes to foreigners; we see money from our Treasury going to the pay of commissions which are in Europe helping to rehabilitate foreign political refugees at a time when millions of Americans are jobless; we find representatives of nearly every nation in the world in the United States seeking our rich market; and we who study these matters feel that by this process we will soon be entangled in foreign problems from which we can never emerge. In this debate, which has been inspiring and brilliant, we find allegations that the proposed bill is aimed to help one foreign axis and that our present neutrality bill tends to aid another foreign axis. So far as I am concerned, let the foreigners run their own axis, and let us Americans tend to our own business and take care of the gigantic problem we have at home—an unsolved problem which is hitting nearly every home in the land. What I ask for is to defeat this bill and allow the present neutrality bill with its arms-embargo clause remain as the law. Apply it to all nations alike without favor. We are told that the present bill does not prohibit the shipment of arms to Japan and China and that it results in no neutrality. However, the law at present states that no arms shall be sent to belligerent nations. That is the law. Congress passed that law. It is up to the Executive to enforce that law, and Congress can do nothing further with it. We are told that the law cannot be enforced by the President because the Japanese-Chinese conflict has not been declared a war. Yet thousands upon thousands of human beings are being slaughtered there daily. We cannot declare it a war, yet it is a war. The present neutrality law is applicable. If America wants to be neutral and neutrality is what the people want, why not enforce this law and stop shipping arms to belligerents?

I believe what the people of my district want me to do is to vote for peace. I believe that they have made up their minds that never again do they want to see another American soldier or sailor or marine fighting on foreign shores. If other nations want to fight and the foreigners want to kill each other, that is their business. So far as we are concerned, I feel the people of my district want us to keep out. I feel they are for strict neutrality. I believe they want us to keep in the bill an arms embargo—an embargo which would tell our munition makers that we will not allow the shipments of arms to any nation in the world where there is a war going on. We want the world to know that we are a peaceful nation and that we will not take sides with any of them if they get into trouble. But my people are also determined to let the world know that Americans know no creed, religion, color, or party when it comes to patriotism. Our people feel no party has a corner on American patriotism. I feel that our people are in favor



of national defense and want their representatives to vote for sufficient appropriations for purposes which would defend our own shores against an attack or invasion by any country in the world. They are opposed to aggression. In fighting to preserve America and American people and the shores of this wonderful Republic our people are united. I believe every man and woman in my district would fight to the death to defend our beloved land, but I believe sincerely that every one of them is determined that never more shall we be involved in war on foreign shores.

Because I feel so deeply about this matter, Mr. Chairman, I must join with others in bitterly opposing this legislation. I feel it is dangerous legislation which would involve us in another war. The world, in my opinion, is on fire right now and the war gods are mixing the war poison again. We free people of America want none of that. We who are fighting against this bill are being charged with being "sub-cellular isolationists." What a cruel charge, Mr. Chairman, when we are willing to trade peacefully with the world. We who are willing to give and take and barter in a peaceful way with the entire world are only "isolationists" when it comes to voting against any bill which would involve this great Nation in another foreign war. If our fight is to stop the killing of innocent men and women and children, then we accept the charge. If the 50,000 voiceless lips of soldier and sailor dead could speak, if the thousands of blind, maimed, and crazed and suffering from the last war could speak in this great Chamber today, I feel they would join us in isolating free America from the madhouse of the war-crazed politicians of foreign lands. If the men who will have to do the fighting, suffering, and dying could speak here right now, if they could know the implications in this bill, I feel they would join our band of alleged "isolationists." Mr. Chairman, we are isolationists as to war. We are praying for peace. We are against all wars. We are for defending our own land and our own liberty, and we are anxious that we run our own affairs and let foreigners run their affairs without interference or intervention by the United States, which has so much trouble of its own to solve.

Mr. Chairman, I know this bill, in its present form, will not pass this House. It must not pass as it is written. For one, I am willing to stay here all summer and fight against its passage in this form, because it is dangerous to the entire welfare of America and would wreck this Nation if it was passed as it is now presented to us. In the name of all of the peace-loving people in this land, help us defeat this dangerous legislation.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. It must be very disappointing to some statesmen to find that we cannot write a neutrality bill; this debate clearly proves that we cannot. I repeat what I said 2 years ago: We find that we should not try to climb a tree to escape a forest fire.

We now turn a complete somersault from the act of 1937. The gentleman from New York [Mr. WADSWORTH] said there were only 13 votes on his side 2 years ago, but we seem practically unanimous today in our desire to remove the embargo clause in the present law. We listened to him yesterday with rapt attention and with apparent agreement. He pleaded for the great office of the Presidency of the United States that it might retain its former dignity. He said—and I think with a subtle warning—that "every wise President consults not only those in his Cabinet but the leaders in the Congress before he makes some tremendously important utterance." I hope the present President of the United States reads that remark in connection with other statements made regarding the Presidential office.

Clearly it has been shown that this President of ours is an interventionist. This is manifest from his message to Hitler a short time ago demanding peace and telling Hitler that he was the one, and the only one, that could preserve peace. I do not criticize that, of course, because, at least temporarily, it seems to have had favorable results, although we understand the resentment that must necessarily lie in the hearts

of the German people because of that intervention. His words and actions have been quoted here sufficiently the last few days to show that he is an interventionist. The gentleman from New York [Mr. WADSWORTH] declared that we must be kept free; that other nations must not know beforehand what we might do; that we must not give these extra-constitutional discretionary powers to the President. He reiterated it many times. Every one of the prohibitions in this bill include discretionary powers to the President, making the prohibitions useless.

Who wants this particular legislation? Read this communistic paper. You have had it on your desk—"National issues, a survey of politics and legislation by the Communist Party." They want this legislation. The gentleman from Indiana [Mr. LUDLOW] in his speech clearly proved—and I have read most of the arguments—the intent of this legislation. The gentleman from Pennsylvania [Mr. ALLEN] practically said: "Yes; the people are on the side of France and England." Of course! We know it. The stabilization funds can buy pounds and francs; they can buy of these favored nations and furnish them with dollars. We can help finance a war in various ways regarding which we may now not be informed.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I mentioned the gentleman's name, but did I do so in such connection that I must give up precious time?

Mr. ALLEN of Pennsylvania. I am afraid the gentleman did.

Mr. GIFFORD. The gentleman's speech is in the RECORD. Read it.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I probably should. The gentleman acknowledges it?

Mr. ALLEN of Pennsylvania. The gentleman from Pennsylvania [Mr. ALLEN] did not say that the people of this Nation are on the side of England and France; but he did say that as between the aggressor nations and the democracies their sentiment probably lie with the democracies.

Mr. GIFFORD. Things equal to the same thing are equal to each other. Recall your geometry. [Applause and laughter.]

Our people are to be surprised indeed when they learn that oatmeal to feed the stomachs of all the people of belligerent nations should now be classified as contraband, to be put in exactly the same category as guns. This is a most amazing doctrine. I cannot subscribe to it. I grant that gasoline is used in trucks and that trucks are used to carry on war; but gasoline is also used for other usual civil activities of nations. Now, however, you see fit to include it in articles of contraband.

I plead with you, and the gentleman from Connecticut [Mr. SHANLEY] agrees, let us go back to international law. [Applause.]

[Here the gavel fell.]

Mr. GIFFORD. I wish I had time to talk about the mischievous conditions that may arise in South America. [Applause.]

Mr. FISH. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. FISH] has 25 minutes remaining; the gentleman from New York [Mr. BLOOM] has 27½ minutes remaining.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, while we sit in this great body, elected as Democrats or Republicans, and the middle aisle is the dividing line for the seating of members of both parties, it does not divide in any way, even for sitting purposes, the respect that we entertain for each other, and for the ability and character or service that we render as individuals. A fitting illustration of this pleasing fact was

evidenced on Tuesday last in the debate of the pending bill when the distinguished gentleman from Vermont, whom every Member admires and respects, in the course of his address to the House, paid the gentleman from Connecticut [Mr. SHANLEY] a fine and deserving compliment, referring to him as "an outstanding authority with respect to questions involving international law." It was an expression of respect that one Member, a Republican, in the case of the gentleman from Vermont, paid to another Member, a Democrat, in the case of the gentleman from Connecticut.

The gentleman from Vermont is one of the most modest Members of the House. He could have, if he wanted to, referred to his great knowledge of international law; but in his modesty, which we admire, he did not do so. While he did not tell the House anything of his profound knowledge of international law and of foreign affairs, we from New England who know him realize his profound knowledge and experience in this important field.

His late father, Hon. Frank Plumley, who served with distinction in this body from 1908 to 1916, was one of the outstanding international jurists of his day. He was the only private citizen in the history of our country, as I remember it, who was ever selected by foreign governments to arbitrate and adjudicate their differences. The late father of our distinguished colleague was appointed by the late President Theodore Roosevelt as umpire of the Netherlands, Venezuelan, British-Venezuelan, and French-Venezuelan Commissions, which held protracted sessions in Caracas. As a result of his findings as umpire, his rulings on questions involving neutrality and the rights of neutrals are accepted and followed as precedents.

His late father was later selected by France and Venezuela as sole trier of questions in issue between them. Their representatives went to Vermont, to "Northfield-on-the-Dog," for the hearings of the French-Venezuelan Commission. Our colleague was secretary of that Commission. He later taught international law at Norwich University before he was president of that university.

When our friend speaks about neutrality, he speaks from more than a superficial viewpoint and knowledge as to what he is talking about. As his late father was, the gentleman from Vermont [Mr. PLUMLEY] is recognized as an authority especially on questions involving the rights of neutrals. Whether one agrees with him or not, he is one qualified by education and experience to discuss international law in all of its aspects, and one whose views and opinions are worthy of profound consideration. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I am not afraid that Members of this House will underrate the importance of the joint resolution now under consideration but I am most anxious for each Member to understand the importance of an amendment which I propose to offer. The amendment which I will offer will follow as a new section to section 2. The amendment is as follows:

On page 3, after section 2, insert the following new section:

"TRAVEL ON AMERICAN OR OTHER NEUTRAL VESSELS"

"Sec. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall be thereafter unlawful, except in accordance with such rules and regulations as the President shall prescribe, for citizens of the United States to travel as passengers on any American or other neutral vessel carrying arms, ammunition, or implements of war to any state or states named in such proclamation.

"(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation."

A committee amendment will be offered to section 2 of the resolution, striking out the word "unlawful" on line 19, page 2, and inserting language which will permit citizens of the United States to travel on vessels of belligerent states only at their own risk. The resolution fails to deal with the question of citizens of the United States traveling as passen-

gers on American vessels or vessels of other neutral countries. In view of the committee amendment to section 2, to the effect that citizens may travel on vessels of belligerent states at their own risk, it is clearly indicated that our citizens will assume no risk whatever if they elect to travel as passengers on our ships or ships of other neutral nations although the ship upon which they may be traveling may have its bottom filled with all the deadly instruments of war.

The purpose of my amendment is to make it unlawful for citizens of the United States to travel on passenger boats the bottoms of which are filled with arms, ammunitions, and implements of war. I have discussed the amendment with the acting chairman of the Foreign Affairs Committee and with other members of the committee and I sincerely hope that the committee will accept and approve the amendment.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

NEUTRALITY AND WORLD PEACE

Mr. COFFEE of Washington. Mr. Chairman, debate today has revealed the irrefutable truth that no two Members of this House entertain the same ideas relative to the pending neutrality bill. Each one of us, I submit, is motivated by the sincerest hopes and desire to insure peace for the United States. Yet we have for the past 3 days witnessed the amazing spectacle of many Members, in their zeal to seek and shed light, talking on a subject with which many are unfamiliar, saying things which many in their hearts do not mean, concerning legislation and a function which properly does not come within the scope of the duties of the House of Representatives.

For my part, I am convinced that no neutrality legislation can be devised which is so perfect and infallible in its provisions and enforcement as to meet all emergencies as they arise. How can we anticipate unpredictable events? How can we know a priori just the manner in which the attempted enforcement of any American neutrality act will adversely react upon the peace and well-being of the people of the United States?

The 1937 Neutrality Act was a snare and a delusion. It held forth to the hopeful American people a mirage that could never be attained. The effect of it during the past 2 years, though unintentional, it is true, has been to align us on the side of the Fascist aggressors against the invaded and all too often defenseless victim nations. I am proud that I was 1 of the 13 who voted against the 1937 neutrality bill. I join heartily with the gentleman from New York [Mr. WADSWORTH] in his well-considered and cogently phrased address of yesterday, in which he powerfully criticized the McReynolds Neutrality Act of 1937. In the debate on that bill both he and I actively participated. We then prognosticated the very happenings which subsequently transpired.

Though we embargoed the shipment of munitions to Spain during the civil war, we continued to sell them to Italy and Germany, which countries conveniently and openly transhipped the munitions and materials of war to the revolutionists in Spain, with whom they were brazenly in partnership in conducting that civil war.

Mr. Chairman, we are the only country in the world which attempts to improve upon international law in such detailed fashion in the form of intricately phrased neutrality measures. This is a recondite subject, having many ramifications. One cannot discuss thoroughly even one branch of the topics embraced by the bill in the time allotted. It seems ludicrous to me that even such small sovereignties as Norway, Sweden, Denmark, Finland, Holland, Belgium, and Switzerland, all democracies in Europe, located in immediate contiguity to the Fascist aggressor nations, are yet able to maintain their independence and preserve a true neutrality without the benefit of any so-called neutrality legislation, though here we are,



separated from aggressor nations by two oceans and thousands of miles of distance, the most powerful and richest nation on earth, yet giving an appearance of national cowardice because of our insistence upon attempting to legislate peace in advance of the event.

Personally I prefer the repeal of all such neutrality bills as in keeping with our tradition and our glorious history. Let us unyoke and unshackle the hands and freedom of action of our President and the Congress in international relations. Let us restore our own confidence in the Constitution. Let us not beguile the unthinking into the belief that neutrality bills enshroud them in a state of permanent peace. Peace is a state of mind, an abstract conception. War or peace is dependent upon a people's will and determination to have war or peace. If war hysteria engulfs the land, no transitory law upon the statute books will preserve and maintain peace. Before that war hysteria finishes its mad course all obstacles of man's making will be engulfed or thrust aside.

I have long felt that we should face the world situation realistically. Frankly, my sympathy is on the side of the so-called democratic powers, not because I hold any brief for the guilty acts they have committed during the recent centuries but because their maintenance of the balance of power in the world has preserved civilization and has brought us out of the Dark Ages. Only because Great Britain has had a puissant navy for four centuries was it possible for France and the United States and the Western Hemisphere to attain their places in the sun. Today we are at the brink of the precipice. Another world war may engulf the fruits of civilization and snuff out the light of learning. Paganism, intolerance, racial hatreds, pogroms are the order of the day. The worship of right is being replaced by homage to might. We may well be concerned at the dark outlook which events in Europe present and which the aggressions of Hitler and Mussolini have portended for a decade.

For that reason, Mr. Chairman, I feel strongly that the United States should denude itself of encumbering and awkward garments which have been disguised as neutrality robes. Let us courageously and fearlessly preserve without restraint our freedom of action. Let us meet each emergency as it arises.

Who knows what the morrow will bring? We may have to act very speedily to fight for peace. Hence, it is my fervent hope that we will repeal all neutrality legislation. In the event that effort fails, I shall vote for the Bloom bill, not because I believe it to be a model of perfection but because I am certain it is a vast improvement over all preceding neutrality bills, and mainly because its passage means a repeal of the Neutrality Act of 1937.

Mr. Chairman, it is of tremendous importance that the citizens of the United States awaken to the need of refusing longer to participate in Japanese aggression in China. As an enlargement of that subject, I am adding a brief statement with respect to my own Japanese embargo bill, H. R. 5432, concerning which countless citizens have expressed themselves.

#### MORE CITIZENS URGE PASSAGE OF JAPANESE EMBARGO BILL

Mr. Chairman, as the author of a bill providing for the embargo of the shipment of munitions and war materials to Japan, I have heretofore placed in the CONGRESSIONAL RECORD some comments from various citizens throughout the United States on the measure. Because of the tremendous interest being shown by the people throughout the country in this measure and the formidable support being rolled up in favor of such legislation, I am including brief extracts from other letters received by me endorsing this bill. These letters are pouring into my offices in unending volume. They emanate from citizens of wealth and poverty, from people of all nationalities from every State in the Union, embrace all religions, and reveal a sentiment of great strength and volume in behalf of this proposed law. This Congress should heed the plea of these people and enact this legislation at an early date so that we will no

longer be held up to the world in ridicule because we are, in effect, active participants in Japanese aggression.

The excerpts are as follows.

CHICAGO, ILL.

I greatly regret the part that the United States has played in helping Japan in her war against China. I congratulate you on introducing the resolution concerning the embargo on war materials to Japan and hope that you will be successful in having it passed.

JAMES M. YARD,

*Executive Secretary, The Chicago Round Table of the National Conference of Christians and Jews.*

NEW YORK CITY.

I want to congratulate you on the resolution proposed to put an embargo on war supplies from the United States to Japan.

Having worn cotton hose for nearly 2 years as the only means possible to me of withholding help to Japan, I hope earnestly that everything possible will be done to further the objective of your resolution and prevent our giving the slightest assistance to Japan in its unwarranted aggression.

LAURA R. SIMONS.

PLAINFIELD, N. J.

It makes us partners in her guilt. Moreover, Japan belongs to the Berlin-Rome axis and these war supplies may eventually be used against us. How sorely we will be punished if our own boys are killed by ammunition we have supplied.

With best wishes that your fine resolution passes.

JEAN C. COCHRAN.

PHILADELPHIA, PA.

I know literally hundreds of thinking people in this city who are heartily in accord with the resolution proposed by you for an embargo on war supplies, and on materials from which war supplies can be manufactured by Japan. We wish every possible success to your move. Press it with vigor.

EDWIN M. WILSON.

BROOKLINE, MASS.

Congratulations for your courage in proposing your resolution for an embargo on war supplies to Japan. I have hoped for such a resolution for over a year and I cannot speak too strongly in favor of it.

MRS. ARTHUR W. HARTT.

NEW YORK CITY.

We are much pleased that you have introduced a resolution for an embargo on war supplies from the United States to Japan.

You have our hearty support in this grand objective, and almost everybody we discuss the matter with feels the same. All success.

WELLS RICHARDSON.

RUTHERFORD, N. J.

The pending legislation placing an embargo on war supplies from the United States to Japan, I heartily favor. I have from the beginning felt our country was criminally responsible for supplying Japan with such a large proportion of her war material with which she has been able to wage one of the most cruel, destructive, and unjustifiable wars ever fought by any nation, civilized or uncivilized, against another nation.

WILLIAM E. SAWYER, *Pastor.*

THE WESLEYAN METHODIST CHURCH.

CLEVELAND, OHIO.

Please accept our thanks and congratulations for your resolution to embargo war supplies to Japan.

We heartily support its objectives and think it should be carried.

EDWARD D. WHEELER.

COLUMBUS, OHIO.

May we express our appreciation for your splendid effort in the resolution for an embargo on war supplies sent to Japan and our hope and prayer that it will pass.

STELLA R. MADDOX.

WASHINGTON, D. C.

The resolution of Congressman COFFEE regarding an embargo on war supplies to Japan is the kind of resolution that should have been in force for over 1 year. I strongly support and urge prompt and favorable action upon it. I consider that the probability of its involving us in war is inconsiderable. I write thus strongly because I am deeply concerned and have wide knowledge of the historical background, having lived in China for over 20 years, from 1906 to 1927. For the greatest democracy to withhold this aid from the great, struggling democracy of China is indefensible. For us to aid Japan in its aggression by failing to take such action is to brand ourselves as immoral.

E. L. FORD,

*Pastor, Foundry Methodist Episcopal Church.*

Brooklyn, N. Y.  
We, too, must be realistic and not allow our money grabbers to sell to the very countries who may later attack us. We are a pack of fools to allow it and I am glad to see that you are doing your best to put a stop to it.

MARTHA CASAMAJOR.

New Brunswick, N. J.  
Let me express the hope that you will push this resolution with all the energy of which you are capable. It seems to me highly inconsistent that while the sympathy of the great majority of the American people is with China in this outrageous undeclared war, our Government permits American merchants to sell the needed war supplies to Japan.

JOHN H. RAVEN, D. D.,  
*Professor, Theological Seminary.*

Chicago, Ill.  
Your resolution for an embargo on war supplies from the United States to Japan seems to me timely and I am sure has the support of a large body of citizens who are looking for some immediate change in our policy in this matter.

ELISE FAY JORDON.

Brookland, D. C.  
I wish to express my deep appreciation of your effort to remove from every thoughtful American citizen the sense of humiliation and sorrow that has been ours, when we contemplate our foreign policy, especially that policy toward aggressors, and I am thinking of Japan now.

For peace-loving America to be providing more than half the war materials to Japan, making it possible for her to carry on a war of horrors, murdering and robbing a peace-loving nation, is hard for us laymen to understand.

EVA HESS.

Leonia, N. J.  
I should be in hearty accord with action by the Congress that would place an embargo upon war supplies from the United States to Japan; as a concrete expression of disapproval of military aggression on the one hand, and of Japanese procedures in China on the other. To be sure, we should be diplomatic; but diplomacy ought not to involve compromise with moral convictions of right and justice.

JOHN W. VOORHIS,  
*Pastor, the Presbyterian Church.*

Ridgefield, N. J.  
I wish to congratulate you upon your resolution for an embargo on war supplies from the United States to Japan.

You have the courage and vision to act for the common security of the world. For as soon as the aggressor nations see that the democracies of the world are united and ready to act for their common security they will think twice before precipitating a world holocaust.

F. E. NULL.

Englewood, N. J.  
I want you to know that a very large majority of my friends and patriots are strongly in favor of your resolution for an embargo on war supplies to Japan. The country has been waiting impatiently for just such a move as yours and Senator PITTMAN'S.

LEONARD JOHNSON, M. D.

Englewood, N. J.  
I am writing to let you know that many of us in this section of the United States heartily support you in your proposal for an embargo on war materials to Japan.

For some time many of us have been asking our own Congressmen to support such a proposal as yours. We feel that it is foolish to cry peace while continuing to sell war materials to a dictator.

VIRGINIA P. MITCHELL.

New York, N. Y.  
I have been glad to see the resolution you have so competently drawn regarding an embargo on war supplies from the United States to Japan, and I sincerely trust that this may be passed by the House.

All of us who are friends of China, indeed, all of us who are friends of Japan, feel the need for such an embargo, that the United States may cease its partnership with the aggressor, Japan, in her cruel and devastating invasion of China.

I favor legislation which would not only place an embargo on all war-sustaining materials for Japan, but which will enable us to assist China in her struggle for freedom, by extending credits and sending supplies.

ELEANOR L. WELCH.

New York City.  
The women of the United States by their purchases are financing the massacre of Chinese women and children by the Japanese and our businessmen are supplying the arms and munitions. Both should be stopped.

HENRY H. ROSLONG, M. D.

Bangor, Maine.  
Can't America be jarred out of its timid "jitters" and face the Far East problem with Colonel Stimson's farsighted realism?

MARION J. BRADSHAW, *Professor.*

Williamstown, Mass.  
I want to express my approval for your resolution regarding an embargo on war materials for Japan, and am writing in support of the objectives which this resolution has. I feel that something of this sort is the only means of putting to an end the shameful action of this country in helping to destroy China.

F. H. CRAWFORD, *Chairman,*  
*Department of Physics, Thompson Physical Laboratory.*

Minneapolis, Minn.  
I am a member of the Minneapolis group for nonparticipation in Japanese aggression, and hope the resolution for embargo on war materials for Japan will be passed. Thank you for your work on this question.

MRS. A. F. MELLEN.

Pittsburgh, Pa.  
I sincerely hope that the House of Representatives will pass the resolution for an embargo on war supplies from the United States. It must cause regret to every friend of the oppressed when he feels that the Japanese invaders of China are armed by supplies from this country. Let us put a stop to this.

JOHN G. BUCHANAN.

Hollywood, Calif.  
I strongly support the objectives of your resolution for an embargo on war supplies from the United States to Japan.

MELVYN DOUGLAS.

Watertown, N. Y.  
I strongly approve of the new resolution introduced by you in support of the arms embargo on war supplies from the United States to Japan. I believe an overwhelming number of the citizens of this country want a stop put to this inhuman and outrageous traffic and trust that this bill will do so.

PAULINE F. GOODALE.

Parkville, Mo.  
I am strongly in favor of the resolution which you have introduced to embargo goods to Japan. You are to be congratulated for your insight. Why in the name of common sense and humanity do we help Japan rape China and then turn around and arm to fight Japan at some later date? I cannot answer the question except it be due to lobbyists. Is business bigger than the Government? We have helped the dictators win Spain. Shall we now continue to help Japan win China?

HOMER L. WILLIAMS.

New York City.  
May I appeal to you, as a loyal American, interested in the peace of the world and particularly the saving of the lives of innocent Chinese people, whose friend we are supposed to be, to support with all the power you have, the resolution proposed by Congressman COFFEE of Washington for an embargo on all forms of war materials to Japan.

Japan's unwarranted rape of China is one of the worst blots on our modern civilization and that America, just because of the personal greed of a small group, should be the silent partner in this ghastly thing is utterly disgraceful.

WILLIAM P. BENTZ.

St. Petersburg, Fla.  
I know something of the honorableness of the Chinese character, and I do feel our country cannot afford to lose their friendship, and apart from the honorableness and morality of the affair, our commerce, if properly built up with China, is worth more to our country than the commerce with the entire South American continent. I think it is high time our country is letting Japan know that she is not destined to control everything in the Pacific, which she is absolutely obsessed with.

If there is anything I can do to help get your resolution passed by the Congress, I shall be most happy to help.

STEPHEN C. LEWIS, M. D.,  
*Good Samaritan Hospital.*

Lawrence, Kans.  
We wish to thank you for proposing the resolution for an embargo on war supplies from the United States to Japan,



because we are heartily in favor of such an embargo and think the world would be better off today had such an embargo been made long ago.

Mr. and Mrs. WALTER H. BURNHAM.

BATON ROUGE, LA.

I favor very much an arms and war material embargo against aggressor nations and especially against Japan because of her wanton methods against the inoffensive Chinese.

LYNN M. CASE.

BARRON, WIS.

I am writing to express my sincere approval of your recent proposal for a bill placing an embargo on the sale of war materials to Japan.

MONONA L. CHENEY.

AUBURNDALE, MASS.

I wish to add my name to the people who strongly support your resolution for embargo on war material to Japan.

Mrs. JOHN E. WILLIAM.

MINNEAPOLIS, MINN.

I wish to go on record as strongly supporting the objectives of your resolution for an embargo on war supplies from the United States to Japan. It is clear, is it not, that, irrespective of the situation in the west, something must be done to stop this diabolical aid to Japan.

May I join with your many friends in commending you most heartily in proposing this important resolution.

PAUL B. BREMICKER,  
General Secretary, Y. M. C. A.

NILES CENTER, ILL.

I am heartily in favor of your resolution for an embargo on war supplies from the United States of America to Japan.

ARTHUR KINBERG.

DURHAM, N. C.

The embargo proposed by you, Congressman COFFEE, seems to me a plausible help toward the solving of a very difficult problem.

SUSAN GOWER SMITH, *Duke University.*

BEAUMONT, TEX.

The resolution for an embargo on war supplies from United States to Japan is very important and I wish to register my support.

HARRIET RIETVEED.

NEW YORK CITY.

We heartily endorse your resolution.

We congratulate you and ask that you make a strong fight for its passage.

RETAIL STAND EMPLOYEES' UNION,  
AARON D. SCHNEIDER, *Business Manager.*

ELMIRA, N. Y.

It is nothing short of criminal in my opinion for us as a Nation to allow the sale of munitions and armament supplies to Japan under the present circumstances.

E. RICHARD BARNES.

CLEVELAND, OHIO.

I endorse the bill to ban exports to Japan.

Mrs. L. H. JOHNSTON.

DEERWOOD, MINN.

Support JOHN M. COFFEE's resolution. No war supplies to Japan from United States.

FRANK ENGMAN.

LUNENBURG, MASS.

I have noted with great pleasure that you have introduced a resolution calling for an embargo on war supplies from the United States to Japan.

This sale of war supplies to Japan is not only an outrage against humanity, but is a danger to the future security of the United States.

JOSEPH A. HARWOOD.

BRONXVILLE, N. Y.

I heartily endorse your resolution for an embargo on the sale of war supplies by the United States to Japan.

Mrs. D. D. VAN SLYKE.

WASHINGTON, D. C.

I am therefore strong for your bill (H. R. 5432), and I hope that you will be able to have it adopted, or one as nearly related thereto as possible.

JOHN H. COWLES.

NORTHFIELD, MINN.

Your resolution regarding an embargo on war supplies to Japan comes at a crucial time and should receive the heartiest support.

HARRIET M. HEADLEY.

I am strongly in favor of an embargo on war supplies from the United States to Japan.

JAMESTOWN, N. Y.

A. A. KNOWLTON.

MILWAUKEE, WIS.

Most earnestly do I and many others endorse your resolution for an embargo on war supplies from the United States to Japan. It is certainly a tragic situation in international relations if it has come to where we may not refuse to be party to an outrageous and brutal aggression by withholding war materials and supplies with which to carry it out without it being considered either meddling in other folks' business or an unfriendly act.

F. M. SHELTON.

MUSCODA, WIS.

Congratulations on your resolution for an embargo on war supplies from the United States to Japan. We want you to know we are backing you. All power to you.

LOUIS BULTENA,  
Pastor, Presbyterian Church.

WEBSTER, N. Y.

May I add my sincere desire to the host of requests you undoubtedly have received that you will do all you can to see that an embargo is placed on war supplies from the United States to Japan?

Rev. JOHN SCHOTT.

CORVALLIS, OREG.

I wish to express my personal support of effective legislation working toward an embargo on war supplies from the United States to Japan or aggressor nations generally and particularly the Coffee resolution for such embargo. Self-interest as well as humanitarian considerations makes it imperative that we cease exporting supplies which strengthen principles hostile to the causes of peace and decency, and contribute to the strengthening of a potential national enemy.

M. ELWOOD SMITH,  
Dean of Lower Division, Oregon State College.

WINTER PARK, FLA.

A large number of the members of the University Club, including myself, support the objectives of your bill for an embargo on war supplies to Japan. We urge its passage.

HARVEY S. CHASE.

SAN DIEGO, CALIF.

California congratulates you on your well-conceived resolution placing an embargo on munitions to Japan.

Sentiment on the coast is 100 percent behind you, not only in California, but from Mexico to Vancouver.

In the cause of peace and humanity we trust that your resolution succeeds of adoption.

DEE SMITH.

CARROLLTON, KY.

We at home are depending on you at the helm to put this across. If we can bring war in China to an end, we have accomplished a most humanitarian act, and saved one nation from the prey of another.

JANE STRINGFELLOW.

CHICAGO, ILL.

In view of the Japanese rape of China, the very least that we can do as a decent, Christian nation is to place an embargo on war supplies of every sort from the United States to Japan.

I wish to thank you for introducing such a bill, and to urge you to use every possible effort to secure its early enactment. The country is overwhelmingly in favor of such action, as anyone can easily find out by conversing with the people.

E. M. HARRISON, B. D., Ph. D.,  
Pastor, Woodlawn Baptist Church.

NEWPORT, R. I.

I am deeply impressed with the great importance of your resolution for an embargo on war supplies from the United States to Japan, which is gaining such tremendous support to that war in China.

MISS HELENA STURTEVANT.

CRICHTON, ALA.

Your proposed embargo stopping the sale of war supplies to Japan represents a long-needed piece of legislation.

For the sake of innocent sufferers in China, and to set an example to other nations that we stand for peace, I hope your resolution will pass.

ROBT. OF RUBEL, JR.

CLEVELAND, OHIO.

I am writing to urge an embargo on war supplies from the United States to Japan. I strongly support the objectives of the resolution you have proposed in the Foreign Affairs Committee of the House.

ELLA B. METCALF.

ROCHESTER, N. Y.

May I tell you how thoroughly I approve of your resolution for an embargo on war supplies from the United States to Japan. I hope most sincerely that you will keep at it until it is passed.

HATTIE L. WEBBER.

NEW YORK CITY.

I am greatly in accord with your resolution for an embargo on war supplies to Japan and wish you every success. Our part in Japan's war of aggression is a disgrace to the United States of America.

M. E. TOPPING.

PHILADELPHIA, PA.

I wish to go on record as being in strong sympathy with your recent resolution for an embargo on war supplies from the United States to Japan, and I hope that the Foreign Affairs Committee will see fit to adopt it.

SUSAN C. ERWIN.

WYNDMOOR, PA.

I strongly support the resolution which you have proposed for the embargo on war supplies from the United States to Japan.

CAROLINE C. SMITH.

LEONIA, N. J.

Your resolution deserves the powerful support of all thinking people in this country, and we owe you a debt of gratitude for your competently drawn resolution.

ELIZABETH O. LEEPER.

WASHINGTONVILLE, N. Y.

As pastor of the Presbyterian Church here I believe public sentiment is strongly in favor of an embargo on war materials to Japan, such as your splendid resolution would effect.

REV. ALEXANDER M. CONGER.

APPLETON, N. Y.

I would most earnestly urge that you do all in your power for the resolution you have introduced for embargoing war supplies to Japan. I heartily believe in this resolution and all that you are doing to help our old friends in this great time of suffering for them.

GEORGE R. HYDE.

CAMBRIDGE, MASS.

I want to express my thanks for your resolution in favor of an embargo on war supplies to Japan.

I hold reluctance between right and wrong to be immoral and, of course, at present our law is far from neutral.

C. B. RUNKEL.

ST. PAUL, MINN.

You have our hearty cooperation and support of your proposed resolution to place an embargo on war supplies from United States to Japan.

MRS. N. V. LADERE.

LOUISVILLE, KY.

I hope that your resolution for an embargo on war supplies to Japan will be acted on favorably. It is a national disgrace that we are supplying Japan with the war materials to continue her inhuman campaign in China.

MISS KATE G. MILLER.

WINTER PARK, FLA.

I want you to know that I am strongly in favor of your resolution for an embargo on war supplies from the United States to Japan.

MARY LEONARD.

PHILADELPHIA, PA.

I wish to go on record as supporting the objectives of the resolution regarding the embargo on war supplies from the United States of America to Japan.

MAUD H. MYRIET.

NEW YORK CITY.

Please use every bit of influence to have your resolution to have the embargo on war supplies from the United States to Japan go through promptly. I am speaking for a multitude of friends, as we all think this should go into effect at once.

MARY L. VAN LENNER.

LONGEACH, FLA.

You are to be highly commended for bringing before the Foreign Relations Committee a resolution favoring an embargo on war supplies to Japan. It is high time we ended this most disgraceful and shameful partnership in the destruction of the Chinese nation. What infamy! "How long, O Lord, how long?"

W. W. HIGHERBERG.

SARASOTA, FLA.

I most heartily endorse the resolution you have proposed for an embargo on war supplies from the United States to Japan. Let

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us put a stop to the most disgraceful thing the United States has ever been a party to.

MRS. ROBERT G. MOORE.

SCHENECTADY, N. Y.

We urge that you support the Coffee resolution to place an embargo on war supplies for Japan from the United States.

MARY J. BARCLAY.  
MIRIAM JOHNSON.

EVANSVILLE, IND.

Most emphatically do I endorse your resolution for an embargo on war supplies from our United States to Japan. Things have reached a place where something must be done to curb Japan before it is too late for China's good. Everything should be done to make it difficult for Japan to carry on her war against China, and I am very much concerned in any resolution or legislation that will prevent nonparticipation in Japanese aggression.

VIOLA JUNG.

BOSTON, MASS.

We believe that these shipments to Japan could be stopped without incurring the risk of war with Japan, and that it is to our best interest that we give all possible encouragement to the people of China in their struggle against the unprovoked aggression of Japan. We are strongly in favor of such action as may be taken by Congress to make these convictions effective.

Signed by 45 individuals.

RUSSELLS POINT, OHIO.

Am writing you to tell you I am strongly supporting the resolution proposed by you, namely, an embargo on war supplies from the United States to Japan. I trust the Foreign Affairs Committee will give this proper consideration.

MRS. K. PRATER.

URBANA, ILL.

It is said the Foreign Affairs Committee is considering a resolution proposed by you for an embargo on war supplies to Japan.

We have waited long—too long—for someone to make this move. May I commend you for doing this and add my voice to others urging its speedy adoption?

Why should America furnish Japan with materials which are being used to destroy our own schools and hospitals? They are being bombed even though the American flag is displayed. And why should we help to murder innocent civilians, women, and children?

FLORENCE B. ROBINSON.

CINCINNATI, OHIO.

On behalf of thousands of members of the Episcopal Church in the diocese of southern Ohio I write to urge you and other Members of Congress to support the legislation now pending which has as its purpose the prevention of traffic in war materials to Japan.

It is obvious that no legislation will correct the present difficulty entirely, but any action Congress could take to reduce the present traffic in war materials will help to focus the mind of the country on the problem, and thus enable us to move toward the position in which this country will not be guilty of being a party to the tragic destruction going on in China today.

HENRY W. HOBSON.

NEW YORK CITY.

I was pleased to note that you have introduced legislation which would prevent the United States from supplying Japan with war materials. I urge that the bill be passed as soon as possible, in accordance with the great sympathy throughout the country for the Chinese people.

EUGENE FEENBERG.

SARASOTA, FLA.

We wish you to know that we heartily endorse the resolution proposed by you for an embargo on war supplies from the United States to Japan.

We assure you we are absolutely in sympathy with every thing you do along these lines.

LENA R. WULFF.

CHICAGO, ILL.

In the interest of peace, human conduct, and human understanding and for the benefit of the morality of the entire world as well as that of the United States, it is of the utmost importance that the resolution proposed by yourself for an embargo on war supplies from United States to Japan be put into effect and force as soon as possible.

MAXWELL KUNIN.

DETROIT, MICH.

We heartily approve your resolution to place an embargo on all war supplies to Japan from the United States, and urge you to use all your power to make this into law. The producers of war supplies will feel decent once more if all of them are forbidden to aid Japan against China. We know full well that Japan can do nothing against us or China either without United States supplies. The very idea of cash-and-carry is wickedly foolish; and open fraud and a transparent defense of entrenched interests.

Mr. and Mrs. CLARENCE W. WRIGHT.



MINNEAPOLIS, MINN.

In presuming to write to you advocating passage of the bill creating an embargo on war supplies to Japan, I am motivated not so much by the desire to preserve human life, because we all have to die some day, but in preserving the great work of foreign missionaries and educators in China.

J. F. McCLENDON,  
Professor, University of Minnesota.

NEW YORK CITY.

I should like to endorse most heartily your bill which would stop American shipments of war materials to Japan. The vast majority of American citizens do not sympathize with Japan's military aggressions, nor with American merchants' partnership in the bombing of civilian populations. It is time that the Congress of the United States followed the will of the people it is supposed to represent and stopped the sale of war materials to Japan.

WILLIS LAMB.

WYNEWOOD, PA.

I am heartily in favor of the resolution which you proposed to prohibit the export of war supplies to Japan. I think you have done a fine piece of work.

NORMAN E. FREEMAN, M. D.

STREATOR, ILL.

I have noted with great satisfaction the introduction by you of a resolution calling for an embargo on war supplies from United States to Japan, and I thank you. I hope it may have a great support and that we shall say to the world that our people do not approve of such ruthless barbarity as Japan has shown in this "incident" or "undeclared war" on a people that had been making such brave and rapid strides in their endeavors in building a strong, noble civilization.

Rev. ELI PITTMAN.

COLCHESTER, CONN.

Both I and my church people are interested in your resolution putting a war-supplies embargo on Japan. This ought to have been done long ago. We hope that every effort will be put forward to make it a law.

Rev. C. FLOYD MILLER.

ST. PETERSBURG, FLA.

Will you please do all in your power for the support of the resolution for an embargo on war supplies from United States to Japan?

MINNIE B. BARTON.

NEW YORK CITY.

Keep up your splendid work for placing an embargo on all war materials to Japan.

ANDREW TOLSTOY.

SARASOTA, FLA.

We wish you to know that we heartily endorse the resolution proposed by you for an embargo on war supplies from the United States to Japan.

We assure you we are absolutely in sympathy with everything you do along these lines.

CHRISTINA SMITH.

HOMER, N. Y.

We hurt ourselves by our present course. China means more to us ultimately than several Japans.

Rev. BENJAMIN L. HERR.

NEW YORK CITY.

I should like to express to you my enthusiastic support for your resolution for an embargo on war supplies to Japan. I am sure that the country stands back of you in this fine stand that you are taking.

ELIZABETH L. GAMELE.

PHILADELPHIA, PA.

As a regular voter who is sincerely desirous of putting an end to Japan's attack on China, I urge you to vote for the embargo on the sale of war supplies to Japan.

M. ELOISE SCHUYLER.

CONCORD, N. H.

I wish to express my hearty commendation of your resolution for an embargo on war supplies from the United States to Japan. I hope that it will go through the House and the Senate with as little delay as possible.

ARTHUR S. PIER.

GLOVERSVILLE, N. Y.

I am a lover of peace, and believe that our Government should remain neutral so far as foreign wars are concerned; nevertheless I approve of this move, for I have long been ashamed of our partnership with Japan in her aggression upon China.

Miss ANNA C. WRIGHT.

ROME, GA.

I am writing to thank you for proposing a resolution to embargo war supplies to Japan. Feeling is very strong here for such action, and let me urge you to continue fighting for its adoption.

Mr. and Mrs. PHILIP SHULHAFFER.

NEW YORK CITY.

I heartily endorse your proposed legislation on an embargo of war materials for Japan. I hope the bill will soon come before Congress and will secure an early passage. Surely the American people as a whole resent warmly our participation in the Japanese aggression in China.

M. PHILLIPS.

TYRONE, PA.

I am much interested in the objectives of the resolution proposed by Congressman COFFEE, to place an embargo on war supplies from the United States to Japan.

GRACE H. BURKET.

WASHINGTON, D. C.

I want to commend you on your resolution for an embargo on war supplies from this country to Japan. I feel that we should have made this move long before this, and am very hopeful for its passage.

ERNEST H. BAILEY.

COLUMBUS, OHIO.

May I express the deep interest I feel in your resolution calling for an embargo on war supplies from our country to Japan? Surely decent people can view only with horror and shame the murder-for-money policy followed by America thus far.

HENRY FORMAN.

MILWAUKEE, WIS.

I am in hearty accord with your resolution proposing an embargo on war supplies from our country to Japan and trust that you will be most vigorous in promoting it. The utter senselessness of our procedure thus far is all but exasperating to the citizen who has any regard for the rights of other democratic peoples and who is at all concerned about the future international and trade relations of our own country. If exterminating the Chinese would do us any good, I could see some little excuse for it, though even under such circumstances I could not approve; but the fact is that such extermination is detrimental to us, ourselves. Surely we should not be aiding our own enemies, as so far we have been doing.

ELLA M. HANAWALT.

KALAMAZOO, MICH.

I wish to assure you of my hearty and enthusiastic support of your proposed resolution for an embargo on war supplies from the United States to Japan. I most earnestly believe that such a measure is demanded by all considerations both of justice and expediency.

Mrs. J. B. JACKSON.

WASCO, CALIF.

I want to put all my strength behind your resolution for an embargo on war supplies for United States to Japan. We have dallied with this important matter far too long.

JOHN B. TOOMAY.

CHICAGO, ILL.

I am heartily in favor of your resolution to place an embargo on all war supplies to Japan. Our share in this war is a disgrace to the United States, and many of us are thoroughly ashamed of it. Such a resolution is what we want passed.

LILLIAN F. ABBOTT.

CHATHAM, N. J.

I am strongly in favor of your resolution for putting an embargo on all war supplies from the United States to Japan and hope it will go through quickly.

I am not buying Japanese goods if I know it, as I am told the silks we buy enables them to buy war materials.

Miss CORA KINNEY.

YONKERS, N. Y.

God forbid that we help Japan enslave China. Our present policy seems to me incredibly stupid, short-sighted, and ill-advised. The Chinese are a fine people and deserving of our help. They will be our friends.

Miss CORDELINE WENDT.

DENVER, COLO.

I am much gratified to learn that you have introduced a bill for an embargo on war supplies from the United States to Japan.

The contribution of our country to the shameful slaughter that is going on in China should be stopped without delay, and I cannot too strongly express my interest in supporting your efforts in that direction.

Mrs. WAYONE D. MYERS.

I support wholeheartedly your resolution for an embargo on war supplies from the United States to Japan.

It is extraordinary when many view with apprehension the possibility of a future war with Japan that we not only help her to keep up the outrageous aggression in China but are actually arming a potential enemy.

Mrs. B. HUBERT COOPER.

CLEARWATER, FLA.

I express the desire of many of our citizens that you press forward your resolution for an embargo on war materials from these United States to Japan. In the interest of humanity and wavering civilization, induce the Foreign Affairs Committee to work for it.

H. S. FLETCHER.

St. DAVIDS, PA.

Since I am convinced that the exportation of munitions and other war materials from the United States to Japan makes our country virtually a partner in Japanese aggression against China, I earnestly pledge support to the resolution proposed by you for an embargo on war supplies from the United States to Japan. I strongly urge that every available avenue to the accomplishment of this objective be sought.

HARRIET S. HAAS.

LAKE FOREST, ILL.

This brief note is to express most emphatically my complete sympathy with your proposed resolution for an embargo on war supplies from the United States of America to Japan. Reverently I say, God grant that something be done at once to stop this slaughter.

MINNIE MAY RUMSEY.

YPSILANTI, MICH.

This is written to express my appreciation of your action in introducing a resolution to place an embargo on our export of war supplies to Japan. This traffic has proceeded all too long and I hope very much that you will be successful in your efforts to end it.

BERTHA G. BUELL.

YOUNGSTOWN, OHIO.

I hereby assure you of my sincere sympathy with the objectives of your resolution for an embargo on war supplies from the United States to Japan, and urge you to put forth every possible effort in its support.

MARTHA B. STECKEL.

EMPORIA, KANS.

As a loyal American and one who knows the Orient well, I urge you to work for legislative embargo on war materials to Japan. By our trade we are virtually Japan's partner in this unjust aggression. My conscience cries out against America having any participation in the attack upon China. Let us cease arming and aiding the aggressor.

WARREN HORTON STUART.

COLUMBUS, OHIO.

An embargo should be placed immediately on all war materials to Japan. By war materials I mean not only munitions but the other vitally necessary commodities such as scrap iron, gasoline, oil, cotton, and steel.

I cannot help admiring the resistance that the Chinese have offered against such terrific odds, due to the superior modernized equipment of the Japanese war machine, which we in America have helped to maintain by our sales to Japan of the above essentials.

BURTON M. NICHOLSON.

LAKEWOOD, OHIO.

It is indeed heartening to realize that our representatives are considering this America's crime of crimes, her participation in Japan's war guilt.

Many of us American citizens feel strongly our responsibility in this matter, and we are pleased with your resolution for an embargo on war materials to Japan.

Please feel that many of us are strongly supporting your resolution and that we fervently hope you will increase your efforts for the passing of this legislation.

HELEN E. PENMAN.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. SMITH].

Mr. SMITH of Washington. Mr. Chairman, I am thoroughly convinced that the overwhelming majority of the citizens of my congressional district and of the entire Nation strongly favor a policy of absolute, complete, 100 percent mandatory neutrality in regard to all present and future foreign wars. The American people are, therefore, in favor of legislation which will insure insofar as is humanly possible a policy on our part of noninterference and nonintervention in the affairs of foreign nations. The American people are unalterably and uncompromisingly opposed to our

showing any discrimination or favoritism in regard to the disputes and controversies and wars of other nations. They favor a strictly pro-American policy, first, last, and all the time, which alone will keep us out of wars in other parts of the world.

Consequently, I favor legislation which prohibits travel by our citizens on belligerent ships, prohibits trade with belligerents excepting upon a strictly cash-and-carry basis, prohibits financial transactions with belligerents, prohibits the solicitation or collection of funds for belligerents, prohibits the use of our ports as a base of supplies, denies the use of our ports to armed belligerent vessels, and continues in existence the present Munitions Control Board. The pending Neutrality Act of 1939, with the proposed amendments, does all of these things and is neutral in letter and in spirit. We thereunder accord the same treatment to all belligerents, which is the essence of neutrality and is the only policy which will keep us out of war.

Mr. Chairman, in 1897 Chief Justice Fuller, of the United States Supreme Court, in the case of the Three Friends, remarked that:

Neutrality, strictly speaking, consists in abstinence from any participation in public, private, or civil war, and in impartiality of conduct toward both parties \* \* \*.

He went on to say—

That neutrality was the relationship which exists between the belligerents and the states which take no part in the war.

John Quincy Adams, as Secretary of State, wrote that:

The state of neutrality recognizes the cause of both parties to the contest as just—that is, it avoids all consideration of the merits of the contest.

In the negotiation of treaties dealing with neutrality the State Department has held to this traditional American view of neutrality. Up to 1938, 37 treaties dealing with some phase of neutrality had been negotiated by the Department. All of these were based upon the fundamental thesis that neutrality means a strict impartiality in the treatment of the belligerents.

Emmerich de Vattel, the French publicist whose work *The Law of Nations* has been the veritable bible of the United States Supreme Court since the foundation of this Republic on any question of international law, in his chapter on neutrality, states that—

Neutral nations are those which take no part in a war and remain friends of both parties, without favoring either side to the prejudice of the other. \* \* \* So long as a neutral nation desires to be secure in the enjoyment of its neutrality, it must show itself in all respects strictly impartial toward the belligerents; for if it favors one to the prejudice of the other, it cannot complain if the latter treats it as an adherent and ally of the enemy. Its neutrality would be hypocritical neutrality, of which no state would consent to be the dupe.

American courts have held to Vattel's definition of neutrality from their very inception. In 1781 the Federal court of appeals held in the case of the *Resolution* that the idea of a neutral nation "implies two nations at war and a third in friendship with both."

Henry Wheaton is the best-known early American authority on international law. His work *The Elements of International Law* was the first study of the American interpretation and practice of international law. Concerning neutrality he writes that—

The right of every independent state to remain at peace, whilst other states are engaged in war, is an incontestable attribute of sovereignty. It is, however, obviously impossible that neutral nations should be wholly unaffected by the existence of war between those communities with whom they continue to maintain their accustomed relations of friendship and commerce. The rights of neutrality are connected with correspondent duties. Among these duties is that of impartiality between the contending parties. The neutral is the common friend of both parties, and consequently is not at liberty to favor one party to the detriment of the other. \* \* \*

Quoting Bynkershoek, he continues:

A neutral has nothing to do with the justice or injustice of the war; it is not for him to sit as judge between his friends who are at war with each other, and to grant or refuse more or less to the



one or to the other. \* \* \* If I am neutral, I ought not to be useful to the one in order that I may hurt the other.

The pathway of neutrality is thus clearly marked, and it is the pathway of peace. Any other pathway leads to war. The most important and solemn duty to be performed by our Government and Congress at the present time is to keep our country out of war. We must avoid any and every action which might involve our country in war. We should surround ourselves with every possible safeguard to prevent war. We must not again, after our sad and bitter experience in the last World War, allow the desire of a few of our citizens for commercial profits or to extend credit to belligerents to expose us to the danger of a foreign war. Those of our citizens who wish to trade or travel in war zones should do so at their own peril. We hereby crystallize into law the wishes and hopes and prayers of the people of America, and especially of the mothers of America, that we may place peace and the lives of our young men high above the profits of international trade and finance. We refuse to form any alliance with any belligerent nation in the coming conflict, and we remain neutral. [Applause.]

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I am opposed to the so-called Bloom bill, House Joint Resolution 306. The people of my district and my State, and I believe the people of America, are determined that America shall never again take part in a foreign war. Furthermore, they are unalterably opposed to taking sides in a foreign war.

The primary consideration that confronts us in considering this legislation is what course should we take to insure so far as it is humanly possible that this Nation will not be called upon again to send our soldiers across the water to fight. In determining this question and considering the bill before us, I believe it is the well-considered opinion of the majority of our American citizens that we should observe as a fixed foreign policy absolute neutrality. It is true our sympathies are with the so-called democracies as opposed to the totalitarian states, but that does not mean that America must take sides in European conflicts or join with the democracies in another conflict on foreign soil. It is my judgment that if this bill is enacted into law it will place America in a position not only to take sides in such a conflict but we will be drawn into such a combination of circumstances that it will be practically impossible for us to remain neutral. Furthermore, it will place the power within the hands of the Executive to name aggressors and to exercise his discretion in giving assistance to one foreign power as against another. This is not a neutral position but one which will ultimately lead America down the road to war.

Without doubt this legislation is designed to carry out the policies of the administration which have been openly announced on a number of occasions to which our attention has been called in this debate. America should be concerned with one question, and one question only, in deciding upon this legislation, namely, "What is the best for America?" We have our own domestic problems, which up to date we have been unable to solve. We have expended vast sums of money in an endeavor to break the depression and bring back prosperity. We have done so in vain. Our first concern should be in solving our domestic problems and taking such a course of action as will keep us at peace with the whole world, and, above all, keep us free from any involvements which will lead us into a foreign conflict. The legislation before us is not designed to accomplish that end. On the other hand, it will make more easy the entrance of the United States in a foreign conflict.

This bill places large discretionary powers in the hands of the President which are not lodged there by the Constitution. It repeals all embargoes against the sale of arms and munitions. Our munition makers should not be allowed to traffic in death by selling to belligerents death-dealing instruments of war and munitions. Let America remain neutral and not provide the means by which wars may be prosecuted. If we carry on such traffic, we cannot remain

neutral and are certain to be embroiled in war ourselves. The munition makers want the Bloom bill to be enacted; the American people do not want it.

For one, I still believe that the advice of George Washington and Thomas Jefferson is as sound today as it was when given almost a century and a half ago.

George Washington, in his Farewell Address, said:

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens), the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Our foreign policy, with one exception, has always been directed along the lines of the admonition of the Father of our Country. George Washington, perhaps more than any other man in our Nation's history, was familiar with the history of foreign nations and with the wiles, intrigues, and subtle influences, desires, and motives that controlled their actions in their relationships with one another. He had led the struggling, infant nation through the trials and vicissitudes of the Revolution to gain our independence. Out of this wealth of experience he said:

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free country ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.

Washington realized, as we should realize today, that our natural advantages, by reason of our detached geographical position, protected by two great oceans, and separated by 3,000 miles or more from the warring nations of Europe and Asia, are our first line of defense. In his words:

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world.

Thomas Jefferson adhered to and advised this same course. He said, in his inaugural address, we should maintain "peace, commerce, and honest friendship with all nations, entangling alliances with none."

SHOULD WASHINGTON'S ADVICE, "AVOID ENTANGLING ALLIANCES," BE DISCARDED?

Mr. Chairman, America today is at the crossroads. We have come down through a century and a half of development and expansion observing the advice of the Father of our Country. During that short span, as the history of nations is reckoned, we have become a great nation and occupy a commanding position in the family of nations. We have developed in power, influence, and in the material possessions and advantages of our people more than any nation of the

world in a like period. Should we now abandon our foreign policy which we have followed through the years and enter into combinations and commitments with Old World nations? Should we abandon our time-honored, independent position and assume the roll of world policeman to settle the disputes of Europe?

The one time we departed from Washington's advice, when we joined in the World War, we proceeded on the false premise that by so doing we could preserve democracy and, as the slogan said, "Make the world safe for democracy." Our American boys, 2,000,000 strong, crossed the seas following the mirage that it was a "war to end war." Instead of accomplishing those great objectives the nations of Europe, after that struggle of death, were bankrupted and thrown into a welter of turmoil, dissension, jealousies, conquests, wars, and rumors of wars, in keeping with the history of European nations for more than 2,000 years.

As a result there has now developed in Europe the Berlin-Rome axis. This combination, together with Japan, has been remaking the map of the Eastern Hemisphere. We have witnessed the conquest of Ethiopia and China, the dismemberment of Czechoslovakia, the taking over of Albania, and the threatened invasion of many other nations in the field of operations of these European powers. Opposed to Germany, Italy, and Japan are England, France, and Russia, with whom other smaller European nations are allied or in the process of alinement. The armed forces of the world are better prepared with armaments for conflict than at any other time in the world's history, and they stand ready for mobilization and ready to strike. They only await the order.

Mr. Chairman, it is said that this threatened conflict is one between the democracies and the totalitarian governments to determine which shall survive and rule the world. When we examine the alinement of these forces and the motivating causes of the unrest, we find this to be untenable. Certainly Russia standing with England and France, cannot be fighting for the preservation of democracy. The dividing line between these two groups of armed countries is not the line between the democracies and the totalitarian governments. The bones of contention today, as they have always been throughout European history, are territory for expansion and development, boundary lines, natural resources, raw materials, property and property rights, trade lanes, and routes of commerce, all climaxed with selfishness, the urge for conquest, and the greed for spoils and power.

The struggle today is the same that has been going on for 20 centuries for the control of the balance of power in Europe. It involves the control of the Mediterranean and Gibraltar, the Suez Canal and the Dardanelles, the control of Spain and the lands rich in natural resources lying east of Germany and Italy, giving an outlet to these nations to the Black Sea and the East. Such a control cuts across the life lines of England and its world-wide colonial possessions and leaves France exposed to crushing attacks from every side but the Atlantic. Its accomplishment would mean the destruction of the Balkan entente consisting of Rumania, Greece, Yugoslavia, and Turkey.

With the horrors and loss of life in the World War still fresh in our minds, the American people are of one mind, that we shall adopt that course of action which will not again involve us in a foreign war. In that great struggle there were approximately 120,000 of our soldiers who lost their lives and 182,000 who were wounded but not mortally. These same nations with whom it is now proposed that we shall join in impending conflicts are still indebted to us, aggregating, with other foreign debts, some \$13,000,000,000, earned from the sweat of the brows of American citizens, many of whom are now in want and privation. This bitter experience has determined the mind of America that it shall remain aloof from foreign conflicts.

My colleagues, as I said on a previous occasion in this House, I do not know what lesson you take from these pages of history. To me they point the way. For my own part our course seems clear. Not another penny should be advanced to any of our debtor nations who have repu-

diated their obligations. They should pay their just debts to us. The war chorus should be silenced and made to understand that no amount of war-inspired hysteria and propaganda will budge us from our fixed purpose to make no alliances with European countries, to enter no war except a war of defense, and never again to send our soldier boys abroad to be slaughtered. We want to remain at peace with the world and be permitted to mind our own business and work out our own destiny. Other nations should be granted the same rights free from our intermeddling. The American people are determined that come what may in Europe, America must keep out, and take no part, directly or indirectly, in European entanglements. We must maintain absolute neutrality with all foreign nations to the end that we be not led into war. We must make no commitments, nor enter into any relationships, understandings, or agreements with any foreign nation with respect to Old World affairs. Furthermore, we should refuse to furnish a single American dollar for another foreign war.

We must preserve and maintain the Monroe Doctrine, limited as it is to the Western Hemisphere, which is a command to the nations of the Old World "Hands off America," a domestic policy of self-defense. Likewise, we must not meddle in European affairs. We cannot say to foreign nations, "Keep out of the Western Hemisphere," and in the same breath seek to inject ourselves into their world and attempt to influence and direct the decisions that they shall make. Our concern is to preserve, maintain, and perfect American democracy, and make it work. This should be done here, in our own country and for our own people. Except by example, we should not attempt to project our democracy or ideology into the governments of other nations.

Whenever we shall, by commitments, collaboration, embargoes, commercial restrictions, quarantine of aggressors, or any other means, endeavor to shape the course of European affairs, we are taking the first step toward war which will ultimately lead us into full and complete participation therein. We should mind our own business, maintain strict neutrality, hold aloof from European turmoil, and not take this first step toward war. Once started down the war road there will be no turning back. We must not under any circumstances become a party to a foreign war.

There is one thing that has caused more heartache and misery in the world than any other, and that is war. The sole objective of war is destruction. Brute force is its main-spring; the dead and the maimed are its harvest. It not only bankrupts nations in their material welfare but it robs them as well of all spiritual values. It not only sets nation against nation but breeds in the hearts of men, hate and the desire to destroy and tear down. It never builds; it never ennobles. Worst of all, its fruitage is the death and maiming of the young manhood of the country. It feeds not upon the old and the maimed but devours the flower of the youth of the country and leaves the living impoverished, sickened, and spiritually weakened for generations, and casts its spell and its burdens upon generations yet unborn. Over 10,000,000 soldiers were killed or died in the World War and over 20,000,000 wounded. It is estimated that it cost the United States to date over \$60,000,000,000 and the nations engaged in it over three hundred and thirty-eight billions. Nothing truer was ever said than the words of Washington in his Farewell Address that America should avoid entangling alliances. America should adopt as an unalterable policy that it shall never again engage in war upon a foreign soil; that our soldier boys, if fight they must, shall spill their lifeblood only on American soil in the defense of America and the liberties of our democracy which have made us a great Nation.

We are being importuned again to go to the relief of some of these same nations as the war clouds gather over them. If we yield to the call, it will only mean one thing should war break over Europe, and that will be that we will be thrown again into the maelstrom of a war-mad world with all our resources and our American youth. With a \$40,000,000,000 debt to start with, we could not finance another



world conflict. We will be bled white and our own democracy may be destroyed. American blood will again run on foreign soil. Thousands, and perhaps millions, more of the little white crosses pointing heavenward will be added to those now standing in the poppy fields on distant shores—saying to the world they, our boys, made the supreme sacrifice; here they lie to

Sleep the sleep that knows no breaking  
Morn of toil or night of waking.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

#### NEUTRALITY LEGISLATION

Mr. AUGUST H. ANDRESEN. Mr. Chairman, an analysis of the large volume of propaganda coming to my desk during the past week in behalf of the so-called Bloom neutrality bill, sponsored by President Roosevelt, definitely discloses the desperate attempt now being made to involve our country in future foreign entanglements. Pressure for the passage of this nonneutral legislation comes from our New Deal internationalists, who have lately been patted on the back by certain royal figureheads of great European countries primarily interested, by social cajoling, of having the United States provide men, money, and supplies for them in the event of another foreign war.

Personally, and as a Representative in Congress from a great State, vividly recalling the false propaganda which led our country into the last foreign war, I am extremely suspicious of the pressure for the passage of the so-called Bloom bill. This legislation, as now written, does not intend to maintain a neutral position for our country. The provisions of the bill give the President additional discretionary powers in respect to our foreign policy. I am convinced that if this type of unneutral legislation is enacted into law, the first open hostilities between European powers will force our country from its traditional neutral position and into another foreign war. I am not for this type of neutrality.

I shall always support legislation and appropriations to provide for the most perfect system of national defense. I favor fully carrying out the principles of the Monroe Doctrine in the preservation of the integrity of this country and the Western Hemisphere. But I will not support any bill which, by the delegation of great discretionary powers to the President, may involve us in foreign entanglements and the possibilities of another foreign war. I am for real neutrality for the United States and shall, therefore, cast my vote against the Bloom bill now before the House.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the very extensive and interesting debate on this resolution has made clear that—

First. Every Member of this body is opposed to war.

Second. Every one of us believes thoroughly in a national defense that is adequate to protect the Western Hemisphere against all foreign aggression.

Third. The Congress will never vote to send our boys to do battle on foreign soil outside the Western Hemisphere.

Fourth. We want to avoid foreign alliances and entanglements.

Fifth. We want to be neutral in all foreign wars.

Sixth. The arms embargo is the vital part of the present neutrality law.

The Bloom resolution is entitled "The Neutrality Act of 1939," the purpose of which is presumed to be to keep the United States neutral if and when other nations are engaged in war. Just what does "neutrality" mean? Webster's Dictionary answers:

Neutrality, specifically in international law; the condition of a state which refrains from taking part, directly or indirectly, in any war between powers.

No one wants to get into war, and we are all groping for a formula that will keep us out of war. There is an honest difference of opinion as to the best route to pursue. No law can guarantee against war, but a genuine neutrality act will be

helpful. The question for us to decide here is as to whether the neutrality law now in force or the Bloom resolution will be most likely to help right now. Let me repeat for emphasis that neutrality is "the condition of a state which refrains from taking part, directly or indirectly, in any war between powers." I emphasize the words "directly or indirectly."

The major purpose of the Bloom resolution which is before us is to:

(a) Remove all restrictions on the sale of arms and war materials.

(b) Prohibit travel by American citizens in "combat areas" designated by the President.

(c) Prohibit American vessels from entering "combat areas."

(d) Ban loans and credits to belligerent nations.

(e) Require the transfer of title to foreign ownership of goods shipped to belligerents.

(f) Regulate the solicitation and collection of funds for belligerents.

(g) Continue the National Munitions Control Board with its licensing system for arms exports.

(h) Continue the restrictions on the use of our ports by submarine and armed merchant vessels.

With present embargo restrictions removed, and the President given the discretion asked for, he will be empowered to so shape the policy of this country up to the time he asks Congress for a declaration of war that it will be almost impossible for Congress to deny his request. It seems unthinkable that such vast discretionary power should be given to any individual under our democratic form of government. Remember that under the Bloom resolution the President, after making a neutrality proclamation, can authorize the sale of arms on ordinary commercial credit to one side and deny such sales to the other side; he can permit our vessels to enter the ports of one belligerent loaded with needed supplies, while barring our vessels from the ports of another belligerent; he can prevent a foreign vessel carrying arms from leaving our ports by requiring a prohibitive bond whenever he suspects that the shipment will be transferred to a tender belonging to a belligerent but "the evidence is not deemed sufficient to justify forbidding the departure of the vessel," while permitting exactly the same sort of a shipment to proceed to another belligerent. Permitting the President to name the aggressor nations will not make for peace.

With all the propaganda agencies of the administration at his disposal, it will not be difficult to sell a foreign war to the people. With Government-regulated radio and with prejudiced columnists, there will be no end to the propaganda. The propaganda of the peace groups will be as a drop in the bucket. There is no question but that an overwhelming percentage of our people today favor the policies of the so-called democracies in Europe as against the dictator nations, yet it is none of our business what kind of government they have in Europe. Let them settle their own quarrels, but they must not come over here. The present neutrality law contemplates an embargo when any foreign war develops. Through a technicality the President has escaped making this embargo effective in the Far East, thereby favoring Japan. If the American people had a vote on whether or not we would help China or Japan in the present war, there would not be enough Japanese votes to count. This is a striking example of discretion lodged in the President. However, if we want to be neutral, we cannot change that law at this time. For my part, I am utterly opposed to giving the President any more discretion, and there is no question but that our people want the Congress to take back some of the power already given to the Executive, rather than to give him further authority.

We all know that Europe is sitting on a powder keg at this moment. If war does come, and the President so proclaims, immediately all shipments of arms, munitions, and implements of war from this country to the warring nations will cease. In the opinion of those who believe in the present neutrality law, this is as it should be. The President and the Department of State think otherwise. The primary purpose

of this Bloom resolution is to repeal the present law, thereby giving to certain warring nations an advantage over others. This is the President's policy. If this is the intent, then the title is a misnomer. It should be "the Unneutral Act of 1939."

Representatives of the Department of State, when appearing before the committee at the hearings, were asked whether there was any change in the international situation which should cause Congress to repeal the provision for an arms embargo at this time, and the committee was told that Hitler's taking over of 27 munitions plants in Austria and the Skoda works and 11 other plants in Czechoslovakia justified the change; that is, Germany and Italy now have more munitions factories than France and Great Britain, so it is the purpose of the Bloom resolution to change the law so that United States munitions factories will be available to Great Britain and France in case there is a war in Europe. This would favor the democracies, not only indirectly but directly. On the other hand, it would militate against Germany and Italy. Do not forget that France and Great Britain control the seas. I cannot think of a more unneutral act than for the Congress to knowingly and intentionally modify existing law for the express purpose of making the United States a supplemental arsenal for any particular nation in time of war.

Neutrality laws must be enacted before the game starts. The game is on in Europe and any legislation changing the rules at this time is bound to be unneutral, if not actually hostile, to one side.

If the administration were not so bold in stating the specific reasons for this demanded change in law, I would be prompted to ask whether this Bloom resolution is intended to be a promise to the democracies, a threat to the totalitarian nations, or just a bluff to the world.

Much is implied in that word "promise." If the Congress, by the removal of this embargo, leads France and Great Britain to believe that we are to become their ally in the production of war supplies in the eventuality of war, then in good morals we must fulfill the promise. We must at least be a silent partner in the war. Great Britain has cash enough to pay for munitions from this country for a time, but it would not be long before her cash supply would be exhausted, exactly the same as was the case in the World War. The next step in the partnership would be for our allies to ask this country for credit, the money to be spent in the United States, as was done in the World War. In the meantime our munitions factories would be expanded, our whole economy would be changed, and we would be enjoying that which for the moment seemed like economic prosperity. However, we would be paying for that prosperity with the money we loaned the allies. In the end we would be "holding the bag," just as we were after the World War. We would have gone so far that it would be very difficult to cease; because if we did, first, we would be breaking our implied promise and pledge and deserting our allies. Second, we would be upsetting our whole local employment and economic situation. Do not tell me that this would be neutrality and for the best interests of our country.

It is admitted that this resolution is intended as a threat to Germany and Italy. Do not tell me that a threat of this type is neutral and will keep us out of war.

There are none among us who will contend that the President's purpose in seeking to strike out the embargo on exportation of arms is that of a passively neutral party. Granting all good motives to the President, and not charging for an instant that he wants to get this country into war, it seems to me that it would be rather difficult to find a quicker way to get into war than to have the Congress of the United States pass the Bloom resolution and announce in this fashion that we are to become the ally and economic partner of certain powers in a prospective and, it seems, imminent European war.

This country wants no more economic stakes in the victory of either side in any foreign war, or, I might add, in the continuation of a war, even though it were temporarily economically profitable to this country. Our people prefer

peace to war profits. They do not want to contribute in any way to any war anywhere.

I have received many communications in regard to this legislation. In substance, these communications urge:

- (1) An embargo on the sale of arms to belligerents;
- (2) Prohibition on American ships carrying any materials to belligerent nations;
- (3) Prohibition of American citizens to travel in war areas;
- (4) Determination by Congress as well as the President as to when the law should be invoked.

The Bloom resolution eliminates these safeguards from the present law. That is its purpose. The people of the country know that this is not intended to be a neutral bill.

Mr. Chairman, let us not be misled by propaganda that the impending war in Europe is a conflict between the doctrines of the democracy as against that of the dictatorship. There is nothing further from the truth. If these nations go to war—as now seems likely—form or type of government will not be the issue. These nations will fight for territory, colonies, boundary lines, raw materials, trade, and, last but not least, power. Our boys went to Europe once to make the world safe for democracy, and we know now that was not the issue at all. It does seem that we should have learned our lesson. We contributed our blood and treasure for what we thought was a Wilsonian ideal. We were all sincere, but we know now that it was just another European war. We changed our entire economy. We piled up billions of dollars of indebtedness. We sacrificed of the flower of our young manhood, and because of that World War we are even yet passing through the valley of one of the greatest depressions of all time. Our people are opposed to embarking upon any policy where there is even a remote possibility of repeating our experiences of the World War.

Of course we have a preference as to the various forms of government obtaining throughout the world, yet we are not the keeper of the world; we are not the policeman of the world. We have enough to do to attend to our own business, make this a better land in which to live, and influence by example rather than by attempted force. Let us quit fussing around in Europe and put our own house in order. For hundreds of years these European territorial and boundary line disputes have raged, and there is no indication that the end is near. Why should we be drawn in? If the pending war develops, it will be but a quarrel over the spoils of the last war. Everybody knows now that the Treaty of Versailles was punitive and Hitler gets some sympathy for the German people in his effort to reclaim the colonies and possessions taken away by that treaty. President Wilson was an idealist. He thought that the ways of Europe could be changed. Now we all realize the sad truth. We paid a terrible price for this knowledge. We should remember the admonition of Washington who, in his Farewell Address, said:

Europe has a set of primary interests which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

While the Bloom resolution completely repeals all embargo law, yesterday the gentleman from Ohio [Mr. VORVY], a member of the committee handling this resolution, gave notice that he would offer an amendment inserting an embargo on arms and ammunition. As explained by the gentleman from Ohio, this embargo would cover only "lethal" weapons; that is, anything that is designed solely for use in offense and defense in war, and would not cover any other articles or materials, even though they could be changed into arms and ammunition by a belligerent, or used both for peace and war.

This amendment limits the embargo, but I prefer the present law. To me this so-called modified embargo will be ineffective, is intended as a palliative to mollify our citizens who demand an effective embargo. It is form and not substance.



I think the gentleman from New York [Mr. BARTON], in his argument yesterday favoring this Vorys amendment, spoke as a realist when he said:

Now we are speaking frankly, and I think honestly there is not the same general objection to the purchase by foreigners of our airplanes, trucks, automobiles, petroleum, cotton, or even scrap iron, though it is recognized that these are essential to the successful conduct of war. These are not primarily lethal weapons. An embargo limited to lethal weapons might well satisfy the desires of those of our fellow citizens to whom the embargo idea has become a symbol and a hope. On the other hand, the foreign nations which may find themselves attacked are not short of lethal weapons. They have already dislocated their economy to erect vast plants for the making of guns and ammunition. What they need are the other materials and products that we have in abundance.

If a compromise is possible on the middle ground of a modified embargo, it would surely represent a consummation devoutly to be hoped for. It would comfort our own people.

The gentleman from New York does not beat about the bush at all. He makes it clear that it is his view that there should be no embargo at all—that is the administration's view—yet he recognizes the fact that the American people feel otherwise, and he wants to placate them with the thought that their symbol and hope is contained in this unneutral bill. He also makes it clear that the Vorys amendment will enure to the benefit of France, Great Britain, and Russia, the so-called democracies, if the contemplated European alliances are effected.

The more experience we have with present neutrality law, the more we are convinced of its impotency so far as guaranteeing against war is concerned. We got along pretty well under international law and if the time ever comes when a change can be made, without taking sides for or against some particular nation and thereby getting us into war, I believe the American people will carefully consider returning to international law where the President exercises his constitutional powers only, and the Congress enacts legislation to meet any emergency. No neutrality law is preferable to the Bloom resolution.

In conclusion, I repeat that you cannot change the rules of the game when the game is on and not be partial. The game is on in Europe and in China. Japan is at China's throat. The totalitarian nations and the so-called democracies in Europe are ready to shoot. Soldiers are marching. Armies are mobilized. The plans of battle have been formulated. The world awaits in fear. This is no time for loose talk, much less for spectacular legislative action. If there was ever a time in our history when we should proceed with caution it is now. To substitute the discretion of the President for the judgment of Congress in these matters is unwise. It matters not how well intended, the Bloom resolution leads toward war and not toward peace.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. JONES].

Mr. JONES of Ohio. Mr. Chairman, the power of the National Government to control foreign relations of the United States is both complete and exclusive.

The complete control is shared by the three branches of the National Government:

First, Congress, the legislative.

Second. The President, the Executive, and sometimes he shares with Senate.

Third. The Supreme Court.

The clauses of the Constitution which give Congress its share are:

Article I, section 8:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States \* \* \* to regulate commerce with foreign nations; \* \* \* to establish a uniform rule of naturalization; \* \* \* to define and punish piracies and felonies committed on the high seas and offenses against the law of nations; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; to raise and support armies, but no appropriation of money to that use shall be for a longer time than 2 years; to provide

and maintain a navy; \* \* \* to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Sections 1, 2, and 3 of article II describe the share of the President alone, and with the Senate, respectively:

The executive power shall be vested in a President of the United States of America \* \* \*. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States when called into the actual service of the United States; \* \* \* he shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls \* \* \*. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session \* \* \*. He shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed; and he shall commission all the officers of the United States.

Article VI, paragraph 2, of the Constitution describes the share of the Supreme Court:

This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

In our 150 years of constitutional government, Presidents, Congresses, Senates, and the public have combed them for more guidance to answer these questions:

First. Congress may declare war.

Second. The President and the Senate may make peace by treaty.

Third. The Constitution does not mention:

(a) Neutrality.

(b) Abolition or repeal of a treaty.

(c) The recognition of new governments and international agreements short of treaties.

In the past 150 years Congress, the President, and the Senate have crowded upon the reputed prerogative of the other by virtue of these same provisions. Remembering that Congress may declare war upon, and the President and Senate may make treaties with, foreign powers, suppose a treaty is consummated which provides for war when certain incidents happen. Is Congress constitutionally obligated to declare war? To appropriate money to carry on the war?

The famous Jay Treaty furnished a battleground for the fathers of our Constitution to determine these questions. The office of the President emerged the victor while our first President, George Washington, held that esteemed position.

In 1793 war broke out between France and England. The brilliant Washington, eminent statesman, successful Executive, astute scholar, capable general, the Father of his Country, ex-surveyor, soldier, author, beloved character, already belonging to the ages, undaunted by insurmountable tasks with the young Republic, the idol of his fellow men, must have possessed a deep feeling of gratitude for the assistance of his friend, General Lafayette, of France. He surely could yet feel the hot breath of the tyrant King of Britain at the point of his defending sword. His heart surely beat in sympathy to the fallen dead in the battles of the Revolution that set his countrymen free. He surely yet had dammed up inside his magnanimous heart the pity, the compassion for the men who left their bloody footprints at Valley Forge, because a tyrant stalked upon our shores.

He must have sensed the stirring hearts of grateful freemen anxious to pay their debt of gratitude to their benefactor, France. He must have felt the ties of love that existed between his countrymen and France.

He loved Lafayette and France none the less because he loved his countrymen more. With the price of liberty, the happy hearts of freemen in a great republic seared deep in

his soul, he issued the first neutrality proclamation of these United States of America:

ENJOINING NEUTRALITY AS TO WAR AGAINST FRANCE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands of the one part, and France on the other, and the duty and interest of the United States require that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers:

I have therefore thought fit, by these presents, to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; and further, that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons who shall, within the cognizance of the courts of the United States, violate the law of nations, with respect to the powers at war, or any of them.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the 22d day of April, 1793, and of the independence of the United States of America the seventeenth.

G. WASHINGTON.

By the President:

THOMAS JEFFERSON.

One cannot read that proclamation without there stirring in his breast a pride that George Washington never needed to mention the word "neutrality." The observance of the rules laid down in these few short phrases commanded conduct of the American people so that we avoided that war.

I want this Congress to bear in mind that the first neutrality proclamation was issued by the President under his constitutional authority after a war had broken out between France, England, and several European countries, and the proclamation was addressed to particular belligerents and the condition of war as it existed at that time.

When the chairman of the committee took the floor after the speech of the ranking Member of the minority side, he incorporated in the RECORD the neutrality proclamation of George Washington, and claimed that this bill would give a parallel result. This bill gives wide and extra constitutional powers to the President, and the people of the United States are already afraid of the bias and the prejudice of the present holder of that office. They have listened to the statements of this President.

The people have listened to the address of the President before the Seventy-sixth Congress on January 4 where he virtually invited us to join a holy war. Laying side by side the proclamation of neutrality of George Washington, issued in his constitutional capacity as the exclusive agent of our Government in speaking with foreign countries, the people do not feel that this President bears the armor of peace in his soul.

I ask the Members of the House to read the discussions of Alexander Hamilton, under the pseudonym "Pacificus," contributed to the Gazette of the United States in the first article dated June 29, 1793, where Hamilton discusses the constitutional questions fortifying President Washington's position that he had constitutional power to issue a neutrality proclamation.

Hamilton contended:

First. That the conduct of the foreign relations of a state is an executive function and, except where the Constitution provides, otherwise, belongs to the President upon whom the Constitution bestows the executive power; and

Second. That power granted by the Constitution to Congress to declare war does not diminish the discretion of the President in the exercise of powers constitutionally belonging to him.

The language of the Constitution: "The executive powers shall be vested in the President of the United States of America" is entirely different phraseology from: "All legislative powers herein granted" that limit the powers of Congress to specified powers and the phraseology that the powers and functions of the judiciary "shall extend to" certain enumerated cases.

"Executive power" though clearly stated is vague and has been subject to constitutional interpretation.

The interpretation of these enumerated powers is frequently such as to give the President an extraordinary and practically undefined range of authority.

The exact limits of the Presidential power in time of war is entirely different than his power in time of peace.

Neutrality legislation addresses itself to conduct of this Nation in time of our national peace. From the point of view of a peaceable nation, I will discuss the President's powers in reference to negotiations with foreign countries.

The function of managing the foreign relations may be classified into two distinct branches:

First. The power of intercourse, intercommunication, and negotiation.

Second. The power of entering into formal or binding international compacts.

The second power is shared by the President with the Senate, but the former belongs exclusively to the President.

John Marshall, in the House of Representatives on March 7, 1800, stated:

The President is the sole organ of the Nation in its external relations and its sole representative with foreign nations.

At this time I want to call your attention to the status of the Department of State, which has been recognized as a department more directly subject to the control of the President than any other department. The act creating the Department of State in 1789 was an exception to the acts creating other departments of Government. From the beginning the Senate has never assumed the right to direct or control it, except as to clearly define statutory matters not connected with the conduct of our foreign relations.

I note in the Fifty-ninth Congress, first session, page 1420, that Senator John C. Spooner made this observation in regard to addressing communications to the State Department:

We direct requests to the real head of that department, the President of the United States and as a matter of courtesy we add the qualifying words "if in his judgment not incompatible with the public interest."

In the light of this observation let us see what control the President exercises over our foreign relations.

The President possesses the whole power of initiating and formulating the foreign policy of the Government.

We have seen the President exercising that power freely, and defying us to give us any information as to what his foreign policy is. The President, through the State Department, has the exclusive channel of communication between this country and foreign nations, and when he chooses to give us any information, then only can we get it. The agents of countries rely upon his word and rely upon Congress to back up its agent.

Ex-President Taft, on diplomatic correspondence, has said:

He—

The President—

is bound in such correspondence to discuss the proper construction of treaties. He must formulate the foreign policy of our Government. He must state our attitude upon questions constantly arising. While strictly he may not bind our Government as a treaty would bind it, to a definition of its rights, still in future discussions foreign secretaries of other countries are wont to look for support of their contentions to the declarations and admissions of our Secretaries of State in other controversies as in a sense binding upon us. There is thus much practical framing of our foreign policies in the executive conduct of our foreign relations.

Students of government who know of these constitutional powers of the President are gravely concerned about



the effect of any commitments given by this President of the United States, because during the administration of this President, Congress has been subservient to the will of the President and should he make a commitment to any combination of nations in Europe or Asia, whether wise or unwise, the people of America are afraid of an appeal to uphold the hands of a President who has made a mistake, who has submitted to pressure, who has submitted to his own personal beliefs to back up those beliefs with our men, with our money, with our homes, with our savings, and with our blood. There has been considerable discussion as to the real motive of the King and Queen of Great Britain visiting our shores. There has also been negotiations between Great Britain and Russia which have embodied mutual commitments of protection.

The people of America do not want the President to commit us to any combination of foreign powers who by treaties and pacts duly consummated among themselves, may bind us by their conduct and alliance, and, if I might go so far as to say, political intrigue on the happening of a certain event that they have provided for, that we should go to war.

President Wilson contended:

The initiative in foreign affairs, which the President possesses without any restriction whatever, is virtually the power to control them absolutely. The President cannot conclude a treaty with a foreign power without the consent of the Senate, but he may guide every step of diplomacy, and to guide diplomacy is to determine what treaties must be made, if the faith and prestige of the Government are to be maintained. He need disclose no step of negotiation until it is complete, and when in any critical matter it is completed the Government is virtually committed. Whatever its disinclination, the Senate may feel itself committed also.

The cases of *Foster v. Neilson* (2 Pet. 253), decided in 1829, and *Williams v. Suffolk* (13 Pet. 415), decided in 1839, have definitely upheld this power of the President and there can be no question as to the President's right and power under ordinary circumstances to initiate and formulate such foreign policies as he may deem proper, and virtually commit Congress and the country to their execution.

Policies leading to disturb relations with foreign countries and even endangering the peace and safety of the country have been adopted at the will of the Executive.

It is no wonder that the people of the country are crying out for a voice in determining the conduct of their foreign affairs. It is no wonder the people of the country have risen up and demanded that their representatives address themselves to neutrality, and it is all the more conspicuous how ineffective the bill under consideration is to give the people any assurance that their relations with foreign countries will be the relations directed by themselves or dictated by one person, the Chief Executive.

In the last 10 years there have been rumors that at London a full year before our declaration of war, President Wilson committed us to assist the Allies in the World War. I say committed us, because with it he committed over 350,000 boys of America to slaughter, he committed \$25,729,000,000, the cost of the war up until June 30, 1921, of hard-earned American money from the rank and file of the people, representing their savings over a period of years, and he committed thousands of the finest young men in the country to maimed and broken bodies, crushed hearts, and nervous wrecks. The boys themselves that fought in that great conflict, if they knew where to strike at neutrality would want to muzzle any Chief Executive of either party from making such a commitment without any control, direction, and guidance of the people, who give their sons and daughters, their wealth, their homes, and their lives for some imagined ideology of a President. And here is the gravamen of the really popular demand of the people. The striking resentment of the public against one-man commitments have been ringing to high heaven long before there was a putsch in Germany and a march on Rome, and this administration instead of answering that call with a constitutional curb upon the President, yes, even a chance for the people to vote upon a constitutional amendment that would give them the right to commit themselves to the President before he commits

himself to any foreign country has never been brought forward by this administration.

As early as 1826, when President Adams was about to send representatives to the Panama Congress, Senators Hay, Woodbury, White, Van Buren, and Benton opposed the United States sending members to such congress, because they thought it was to be a congress of belligerents that by our very taking part would compromise the neutrality of the United States, would involve us in "entangling alliances," and incur the risk of war with Spain.

Van Buren—later President—said:

It is, then, the design of the Executive to enter into an agreement at the congress that if the powers of Europe make common cause with Spain, or otherwise attempt the subjugation of Spanish America, we shall unite with the latter and contribute our proportion to the means necessary to make the resistance effectual.

Van Buren observed further that this was—

a measure by which the peace of the country is to be exposed to a contingency beyond the control of our government \* \* \* we shall bind ourselves, in a certain event, to pursue a certain course, whatever those to whom the Government of the country may have been committed, shall think the honor or interest of the country may require.

In the House of Representatives President Adams' participation in the Panama Congress was equally opposed by some Members.

The resolution of Congress to instruct the ministers through the influence of Webster was eventually voted down. Congress yielded, because it was convinced, as summed up by Senator Johnson, of Louisiana:

There is nothing peculiar in the present case. The President has at all times the power to commit the peace of the country and involve us in hostilities, as far as he has power in this case. To him is confided all intercourse with foreign nations. To his discretion and responsibility is entrusted all our delicate and difficult relations; all negotiations and all treaties are conducted and brought to issue by him.

Even the opponents of President Adams, among whom was the illustrious Van Buren, later to become President of these United States, admitted that no matter what action the Senate or Congress might take, President Adams could still constitutionally provide for such a mission on his own authority.

The Panama mission of 1826, with all the reputed dangers attributed to it, is of little importance here, except to illustrate that the President alone has the power to decide upon a certain diplomatic policy such as this mission presented, and it was likewise within his exclusive power to determine whether or not its consequences might involve the peace and safety of this country.

This power of the President has been demonstrated in actual practice again and again. During a period of about 25 years—1823 to 1849—the Cuban policy of the Executive was consistently friendly to Spain and a guaranty of Spanish sovereignty; after the Mexican War that was changed to a policy whose chief end was the acquisition of Cuba by the United States, and in the development of which American diplomacy has been characterized as aggressive and intolerant; while during the period after the Civil War it was again changed to a policy of commercial and humanitarian interest, culminating finally in actual intervention and war.

President Grant's handling of the *Virginius* incident in 1873, President Cleveland's of the Venezuelan affair of 1895, and President Wilson's of the Mexican situation throughout the entire course of his administration illustrate the power of the President both to bring on and to avert diplomatic crises. Mention need only be made of such events as Washington's neutrality policy, the Monroe Doctrine, the annexation of Texas, the Mexican War, the Alabama claims settlement, the acquisition of the Panama Canal, the "big stick" doctrine, our entrance into the war with Germany—all these and many more must be set down to the credit of Executive leadership in the field of foreign relations.

I say without fear of contradiction that the President, through his exclusive control of diplomatic intercourse, holds

in his keeping the peace and safety of the United States, that he may initiate diplomatic policies, conduct diplomatic relations in such a manner as to force this country into war without any possibility of hindrance from Congress or the Senate. It has been suggested by some newspaper circles, and denied by the President, that the President invited a participation on the high seas at a conference between the United States and Italy, Germany, and other European powers.

The people of America fear the President of the United States and his bid for consultation and influence in the power politics of Europe, and the President of the United States surely knows that they fear it. And this Congress surely does not want the people of America to again be committed by one man to a course of conduct concerning nations and people with whom we have no direct national quarrel.

And I submit that whether you pass the neutrality legislation or not, if the President wants to meet upon the high seas with Hitler, Mussolini, Chamberlain, or Daladier, or Kaiser Wilhelm, that this Neutrality Act will never stop him, and it is needless to say that he can commit us to war and this Neutrality Act will be of as little value as a bucket brigade in the Chicago fire.

Let me call to your attention a second phase of the President's control over foreign relations. Has anyone ever disputed his power to recognize the belligerency or independence of new states and governments? Has anyone questioned his right to refuse to recognize Czechoslovakia and his right to protect the Czechoslovakian Embassy in the city of Washington against the orders of the German Government?

This power, though not expressly granted by the Constitution, is implied from the general power to enter into diplomatic relations with foreign countries through the making of treaties, the exchange of accredited envoys. The power is not conferred on any one department, but is now generally conceded as belonging to the Executive.

In practice in 150 years of the history of our constitutional Government, recognition has always been extended as the exclusive act of the President. New states come into existence often by revolution from an existing state. Recognition is a normal act provided the new community has won its contest and successfully maintained its separate existence and independence, but recognition at a proper time and premature recognition are entirely two different things, and the President of the United States again can commit us to war and this neutrality legislation will not help one iota.

Let us examine the record of the Presidents of the United States with reference to this power.

In 1817 President Monroe, sympathetic with the aspirations of the South American provinces for recognition, feared possible complications with Spain and declined to recognize the new South American states until he was satisfied that Spain would not resent the act with war.

President Jackson was extremely cautious about arousing the hostility of Mexico through a premature recognition of Texas, and referred the Texas situation, in his message of December 21, 1836, to Congress. Let us see what he said about premature recognition at that time:

At all times an act of great delicacy and responsibility, but more especially so when such state has forcibly separated from another of which it had formed an integral part and which still claims dominion over it. A premature recognition under these circumstances, if not looked upon as a justifiable cause of war, is always liable to be regarded as proof of an unfriendly spirit to one of the contending parties.

He therefore announced that he considered it "with the spirit of the Constitution and most safe," that the power of recognition, when probably leading to war, should be exercised "with a previous understanding with that body by whom alone war can be declared, and by whom all provision for sustaining its perils must be furnished."

The power of recognition belongs to the President, and I am sure I need call your attention to no further cases to

show how easily that power may involve us into serious complications with foreign nations, and in such cases should be exercised with due regard to that branch of the Government whose power it is to declare war.

Because Congress has the power to declare war, the salient feature of this bill is that it commits Congress ahead of time to give the President the sole power to determine our future course of conduct with foreign nations and virtually destroys the constitutional power to deliberate in the greatest deliberative body of the world, the grave consequences and the grave necessity of declaring or not declaring war against a foreign country in the future.

The President has power to receive and send accredited envoys and he also derives the power to withdraw the diplomatic representatives at his pleasure, or dismiss representatives of foreign powers, and thus sever all relations with the particular country.

Is there anything in this bill that will stop a President of the United States, who is intent upon placing his bid in power politics in foreign alliances from exercising this power in such a way as to produce an immediate incident with foreign nations?

The President has publicly spoken that he would use methods short of war. In the time allotted to me I have not been able to discuss the exclusive powers of the President that are short of war commonly known as powers in the twilight zone.

The people of America fear that as long as Congress is subservient to the will of one man, that those of us who might honestly oppose the commitments of this President would be subjected to the indignity of being called copperheads, reactionaries, partisans against the President. The people of America are afraid that the debate will turn upon the same battleground as the reorganization bill presented with party stalwarts taking the floor calling for the members of the majority party to read the story of Lorna Doone, and to aim their guns lower.

The people of the United States do not want one-man government. They do not want this President, or any other President, to have the power to commit us to war by his conduct of foreign relations. They do not want us committed to power politics in Europe over the conference table. They resent open letters to foreign governments over affairs that have our personal sympathy and compassion, but are none of our national business. They resent notes of protest from our State Department that infer our personal bias, passions, and prejudices. They do not want the discretion of life and death of their children lodged in the ambitious hands of one man. They do not want a bill that will serve one side, sold to them as a neutrality bill.

The people of America resent military flourishes that shadow totalitarian state receptions.

The people of America want a man to fill the office of the President of the United States with the vision of a Washington, and with the philosophy of a man content with the greatest honor which the world can bestow upon one of her children.

I shall vote against this bill because it will not vouchsafe the people the relief they want—peace.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, in this present Congress on March 4, at a joint session in this room, we sat at a ceremony in commemoration of the One Hundred and Fiftieth Anniversary of the Commencement of the First Congress of the United States under the Constitution. One of the speakers on that occasion was the Honorable Charles Evans Hughes, the Chief Justice of the United States, and I quote from his speech on that day:

The American people are eager and responsive. They listen attentively to a vast multitude of appeals, and with this receptivity it is only upon their sound judgment that we can base our hope for a wise conservatism with continued progress and appropriate adaptation to new needs.

We shall do well on this anniversary if the thought of the people is directed to the essentials of our democracy. Here in this body



we find the living exponents of the principle of representative government—not government by direct mass action, but by representation which means leadership as well as responsiveness and accountability.

And he goes on developing that thought, which time does not permit me to quote here, but finally he arrives at a sentence that makes a telling point in American progress—and I quote:

And what the people really want they generally get.

What have the people asked for? The universal demand by the fathers and mothers and the thinking folks of this Nation is for a neutrality bill.

This bill before us has two bad features: One, section 3, "Areas of Combat Operation." This section we are now told will be stricken from the bill. I wish to congratulate the committee on that decision.

The second feature to which there is objection is the elimination of the embargo on arms and munitions. Some argument has been advanced that there is no logical difference between the selling of such articles of highly explosive natures as machine guns, and so forth, and the selling of commodities such as wheat, cotton, and motorcars. Therefore, they say be prepared to forego the exporting of cotton, wheat, and so forth, or be logical and abandon the present policy regarding the sale of arms.

One editorial has rightly referred to this reasoning as "dangerous nonsense." Arms and munitions by their very nature are highly specialized commodities, specifically and originally designed for the taking of human life and the destruction of property. The fundamental difference, therefore, of character between arms and other objects of trade has had a just recognition throughout the history of international law, the distinction being absolute contraband and conditional contraband of war.

As I have stated, the bill had two objectionable features: The naming of combat areas and the lifting of the arms embargo. The former has been eliminated by the committee, and I intend to vote against the latter. I believe that such action is carrying out the mandate of the people and will help in keeping our Nation out of war and foreign entanglements.

Mr. FISH. Mr. Chairman, I yield 1 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, there is a wave sweeping over this entire Nation which, rightly or wrongly, intelligently or unintelligently, demands of this Congress the enactment of a neutrality law that will keep this Nation out of war. [Applause.] The mail which I have received in great volume since I have become a Member of Congress has reflected this sentiment in no uncertain terms. The men and women of America are demanding that we lay our cards on the table and tell the nations of the Old World that we are going to stay out of any foreign war.

The pending neutrality legislation—the so-called Bloom bill—is, as I understand it, the administration's answer to the demand of the people of this Nation that we write legislation which will keep us out of war. Without emotion I want to endeavor to analyze this bill, section by section, for a few moments, as I find there is a tremendous amount of misinformation, not only in this House but throughout the length and breadth of the land, as manifested by the editorials which appear in the pamphlet submitted by the gentleman who has acted as chairman of the Foreign Affairs Committee.

Section 2, 4, and 5 of the present bill, with the deletion of section 3, as proposed by amendment, are the administration's response to the demands of the people that the Congress write a neutrality law which will effectively keep us out of war. Bear in mind that none of these sections become operative until a proclamation has been issued by the President under the authority of section 1 of the act. This section is not mandatory in character but vests in the President great, broad, discretionary power. Before he is required to act and required to issue a proclamation naming the countries at war he must make certain findings, and this bill reserves

to him the discretion as to when he shall make those findings, if he makes them at all.

First, he must find that a state of war actually exists between certain foreign nations. Second, he must further find it is necessary to protect the security or preserve the peace of the United States or protect the lives of the citizens of the United States. Then, and only then, by the terms of this act is he required as a mandatory duty to issue a proclamation naming the states that are involved in this controversy. Remember that sections 2, 4, and 5 are under the very terms of this bill dependent upon the issuance of such a proclamation, and none of these sections become operative, not a single provision of this law, as a matter of fact, becomes operative, to affect and protect the neutral position of this Nation until the President in his discretion sees fit to issue such proclamation. In the event of a general undeclared war in Europe, who can state with certainty when the President will make such findings, if at all, and issue the proclamation? Under the present law he has failed to publicly note the existence of a state of war that has been carried on for a long time between Japan and China.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. KEEFE. Mr. Chairman, he has utterly failed to perform this solemn duty imposed upon him by present law to find that a state of war exists, and as a result, despite the fact that every citizen of the world knows a war is continuing over there in China the President has seen fit, because of some purpose that he alone knows, to publicly refuse or fail to carry out the mandate of this Congress contained in the present law and proclaim the existence of a state of war and impose an embargo.

In considering the first section of this bill I ask, Who is there who can say in the event of the existence of a state of war between the nations in Europe the President will issue a proclamation that will set in force the provisions of the so-called neutrality act? Suppose he does see fit to issue a proclamation naming the nations involved in war, then what happens? There are a lot of people who have a mistaken idea as to what will happen.

The next section provides what? They propose an amendment which says that no citizen of the United States shall sail upon a foreign ship except at his own risk and subject to such regulations as the President may again determine. In other words, the people of this country demand that, in the event of a finding of war and the issuance of a proclamation, citizens of the United States stay off foreign ships and keep this country out of war.

Mr. Chairman, I would like to go through all the provisions of this act, but I cannot do it in just a few moments. May I take time at this point to call attention to just one thing. There is a bill pending before the Committee on Merchant Marine and Fisheries which is the first cousin to this act. You enact the pending neutrality bill and you will be called upon to pass the bill now pending before the Committee on Merchant Marine and Fisheries. What does that bill provide? It provides for the setting up of a revolving fund of \$100,000,000 in the Treasury of the United States and creates a Bureau of War Risk Insurance which will permit the United States to insure the hulls and the bottoms of every foreign ship which will be called upon to carry the merchandise back to Europe that these foreign belligerents may order and pay for on the line and in which we have no interest. It further will permit this War Risk Insurance Board to insure the lives of American seamen and American bottoms carrying this contraband, if you please, to foreign nations, contraband in which we have no interest and which will directly take us into war. I am opposed to it. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, to you who would eliminate the arms-embargo provision from any bill in the hope

that it will keep us out of war, let me bring back the lesson of history of 20 or more years ago.

This week we observed the twenty-fifth anniversary of the firing of the shot at Sarajevo. This week we observed the twentieth anniversary of the conclusion of the World War by the peace treaty at Versailles. Those echoes are resounding in this Chamber today.

When that war came on Charles M. Schwab, of Bethlehem, took himself immediately to London and came back with substantial munitions orders. When they began to transport munitions from this country there was introduced in the Senate of the United States by Senator Hitchcock a resolution, one of perhaps a score, to put an embargo upon the shipment of arms. What happened to that resolution? I will read you from history. Lord Cecil Spring-Rice, the British Ambassador, advised Viscount Grey that such a position by the United States would be unneutral. On the 11th of December 1914, Viscount Grey suggested unofficially to the Government of the United States that the Hitchcock resolution would be "special legislation passed while a war was in progress, would be a radical departure from long-established custom, and would be definitely an unneutral act." We tried to put an embargo in effect at that time, but the wells of hysteria had been churned and emotions were running full force. Mr. Bryan said to Viscount Grey that the administration was not behind the Hitchcock resolution. It was then too late to avert the inevitable with an embargo on arms. We were moving on into Armageddon, and it was too late. I say to you gentlemen today, it will be too late if we do not put an arms embargo in this bill today. [Applause.]

Let the first artillery shot be fired on the other side and then hysteria will move across the land even as it did in 1914, let the first vessel bearing arms of American manufacture be torpedoed whether title passed or not, and frenzy begins its tragic march. I prophesy to you today that if we do not put an embargo on arms and ammunition in this bill we will never have another chance. The ghost of history rises today to admonish us of the experiences of 20 years ago.

Secondly, I hope that section 2 will have the exception eliminated so that not even the President of the United States can make any exception with reference to our citizens traveling on vessels of belligerents. [Applause.] It was 23 months from the time the *Lusitania* went down off the Irish coast until we went into war. What were the events of history? First, 159 American lives went down to a watery grave on the *Lusitania*. Then in succession came the torpedoing of the *Gulflight*, the *Falaba*, the *Dacia*, the *Hesperian*, and the *Arabic*—British and French vessels with two or three Americans on board. We read the front page accounts. Staring at us were photographs of American citizens who were victims of submarine warfare. Hysteria and frenzy went across the land. Then came the *Sussex*. Then came the *Laconia*. President Wilson was sending a message to Congress when the *Laconia* was torpedoed off the Irish coast with two American women on board. The son of the American mother who lost her life was living in London. He telegraphed to President Wilson and said, "What are you going to do about it?" Once more hysteria went across the country, and inevitably we were being led into the abyss of Armageddon. If we avail ourselves of the lessons of history, we will demand an unequivocal measure which will absolutely prohibit the travel of American citizens on belligerent vessels.

Third, I say to you who entrust yourselves to the abstruse tenets of international law, go back and read about the tortuous course of international law in 1917. Read about contraband and noncontraband, visit and search, search and seizure. Read the notes on blockades, effective blockades, and cordon blockades. Read all the tortuous language of diplomacy. Yes, it was down the pathway of international law that we walked into carnage and shambles in 1917. For the sake of an elusive and undefined and unenforceable thing which provides no embargo on arms, no prohibition against travel on belligerent ships are you willing to give away what progress we have made toward peace?

It is interesting to hear the older Members of the House talk about the night of April 6 when the war resolution was adopted. I was a student at a university and getting ready to go into that war. I served 18 months over on the other side. Today, in the light of history and on the basis of that background, according to my own lights and with what conviction I can muster, I am going to do my little bit to help keep America out of the next war. [Applause.]

In so doing I shall support an arms embargo. I am going to support a provision to keep our citizens off of belligerent vessels, as a hope, even though slender and tenuous, that it will stop the wells of emotion and hysteria and keep the feet of America in the pathways of peace. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. JOHNS] such time as he may desire.

Mr. JOHNS. Mr. Chairman, I am opposed to this bill in its present form. Unless it is amended very materially, I shall vote against it.

The bill as written gives entirely too much power and discretion to the President of the United States. No one man, whether he be President, or a private citizen, should have such power given him where this discretion and responsibility rests under our Constitution in this Congress.

With the provisions of this bill as presented to us, the President has the power to decide for himself where a state of war exists between certain nations. He may then by proclamation say what commerce, if any, may be carried on with the United States and these warring nations, what amount and kind of credit they shall be granted. Under his power he need not take into consideration any existing indebtedness that may then exist between either of the warring nations or other nations owing to the United States. In other words, this bill gives to the President absolute power and discretion to regulate commerce between this Nation and other countries involved in war and the amount of credit to be extended to them.

It will be much better for us to keep the power given us to regulate the commerce of the United States at all times.

The President has it within his power if Congress is in session, and if not in session, to call it into special session to bring to it any facts which in his mind may be of sufficient importance to justify our intervention in any war to protect our interests at all times.

The citizens of our Nation, at least in my district, are against giving this power to any one man even though he be the President of the United States. It is a dangerous thing to do, and I am against it.

Mr. FISH. Mr. Chairman, I yield the gentleman from North Dakota [Mr. BURDICK] such time as he may desire.

Mr. BURDICK. Mr. Chairman, from the debate there remains no doubt that the present bill, the so-called Bloom neutrality bill, embodies the demands of the administration and of the President of the United States. I am opposed to the act, not because the President is a Democrat. I would much more prefer to favor the President than to oppose him, and I am sure my record will show that I have never cast a party vote against any measure in this House. I have at times voted with the administration when I was the only Republican on this side of the Chamber who did.

At no time, however, have I failed to vote my convictions, and no matter how friendly I may be to the President and in favor of many of his objectives, I still, as a Member of this House, have a duty to perform and in the performance of that duty I must follow my convictions as I see them. According to the best light I have, the passage of this act may lead us into war. I do know that by following the present law we have kept well out of foreign embroilments. My purpose is to keep the United States out of any foreign war no matter what countries may be mentioned. We had absolutely no business in the last war; we are paying for it now. Thousands of the best men in the United States lost their lives, hundreds of thousands of others were injured in body and mind, and billions of dollars were thrown into the mad whirl of war. All to no purpose, because the peace



terms of that peace were a breeder of war, and for proof of this we can stop long enough to unfold the present picture of Europe. In addition to that we loaned billions of dollars to the Allies and today we are holding the sack for a total debt of \$20,000,000,000, a very small portion of which will ever be paid. We are paying it each day. We are paying the interest on this debt every day. Have we not learned any lesson from interfering in Europe?

I am opposed to this act because it puts too much responsibility on the President of the United States. Why do we want to shirk our constitutional responsibility? We were elected by the people; we represent them; it is our duty to pass upon the question of war. I am willing to shoulder this responsibility as long as it is my responsibility. Why hand this power over to the President? Some have said we are not doing this in the present act; but let us see. Under this act the President, when he sees fit, can, by proclamation, declare that certain nations are at war. After he so declares he can then, by another proclamation, prohibit citizens of this country from traveling on any vessel belonging to any of those countries at war. He can by proclamation prevent citizens of this country or any ship of this country from entering into any combat area as the President shall fix it in his proclamation announcing a state of war. The President can further prevent business transactions with those countries. An exception is made in case of old war debts; but that is meaningless, as no country seriously intends to pay those debts. Those Liberty bonds have been and will be retired by taxes paid by the citizens of this country.

The present law gives the President power to proclaim a state of war whenever he finds that a state of war exists. No one knows how long it will take the President to make this discovery. Japan has been murdering China now for approximately 2 years and the President has not as yet made that discovery. If he did, then under the present law the embargo provision against arms would apply to both China and Japan. Since the President has not made that discovery yet we have sold enough scrap iron, guns, and munitions to Japan to assist in killing millions of Chinese.

Suppose again the President did name countries at war, but left the allies of those countries out, we could still ship all the death-dealing instruments our munition manufacturers desired to sell to those countries. This alone would have the effect of forcing those countries who suffered from our action into a declaration of war against this country. With the embargo left out of the present bill, it looks to me like a clean-cut munitions bill to sell munitions to anyone who had the cash. If that is our Christian attitude on stopping war, I say it is none of Christ's teachings.

The act will give a power to the President that he should not ask for and should not have. If we want to keep out of war, let us keep out. If we mean to do the right thing, and the Christian thing toward all nations, let us take control of the munitions plants of this country now, in accordance with my resolution now before this Congress, and stop the paid propaganda for war. It is all right for the King and Queen of England to visit us. We welcomed them as we should the sovereign powers of any nation, but just because of that visit, let us not embrace England or any other country with a revocation of the Johnson Act, that prevents a country in debt to us of getting any more money; just because we like the King and Queen of England personally, do not let us put the President in a position where, if England is at war, he cannot determine that fact as he cannot determine that fact with respect to Japan and China. If he did not determine it, we could ship our whole munitions output to England, and that alone would be sufficient cause for the opposition to England to declare war against us.

Let us be men about this matter. If we want to fight England's battles, let us stand up here and say so; if we intend to keep out of all foreign wars, let us stand up here and say so and not clothe the President with powers which in all probability will lead us into war.

Remember the history of our times in 1914 to 1917—the great war hysteria which swept America. It was all hand-

made—made to order—made for a purpose—made for war profits. That same hysteria can again be artificially created—we are not yet immune from it. The same interests control our munitions, the same financial interests of the United States have old debts in Europe, which they will want our young men to protect, and that selfishness and greed and profits, at the proper time, will make monsters of us all. We covet no foreign territory as a nation, we wish to be friendly with all nations; we desire to live under the Golden Rule. We want peace, and we believe in Christ and his teachings. If this Congress will keep its powers and follow those teachings, we will not get into any war. If it is necessary to drive the money changers out of the temple before we can accomplish this mission of peace, let us have the courage of Christ and drive them out. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. FORD].

Mr. FORD of Mississippi. Mr. Chairman, judging from the remarks of my colleagues on the left side of the House and their loud applause to the suggestions that we go back to international law, I take it for granted that they do not have very much objection to this bill. If they are really in earnest when they are committing their applause and making the statements that they favor international law, then after the adoption of the amendments which will be proposed by the Democratic members of the committee, my Republican friends should certainly support this bill. When we really analyze the bill, section by section, lay aside our political thoughts, and lay aside our prejudice against some of the foreign countries, we have practically international law if this resolution is adopted with the proposed amendments.

What do we find under section 1? We find that the provisions of that section simply give the President the right to issue a proclamation when two or more states become engaged in a conflict and he believes the peace of this country and its citizens are in danger.

Then under section 2 it provides that when American citizens travel in ships of belligerent nations they do so at their own risk. The bill would give them timely warning of that fact.

Under the decision of the Supreme Court in the Curtiss-Wright case, the Court clearly holds that the President has unlimited powers in dealing with foreign countries and in dealing with nations engaged in war. This resolution, if adopted, does not give the President any more power, in my judgment, except to issue proclamations, than he has under international law and the Constitution of the United States. The argument that it gives the President all of this power is certainly not consistent with the language contained in the bill itself. The bill takes no power from Congress. Under the Constitution Congress has the sole power to declare war.

We find if section 3 is deleted—and that was really the section that gave him wide power in defining combat areas—and if you gentlemen on the left and my colleagues on the right who are pleading to go back to international law support the amendment to strike out section 3, we strip the President of practically all the power that this resolution gives him that he does not now have under the Constitution of the United States and under international law.

Section 4 prohibits loans to nations that are engaged in war except on a general commercial basis and not to exceed renewals for 90 days.

Under our present law or under the so-called Johnson-McReynolds Act this country and our nationals are prohibited from making loans to those countries that are in default on the obligations which they now owe. This simply gives the President additional power to prohibit loans to belligerent states and prevent renewals for more than 90 days. Certainly no valid objection could exist to giving the President this power, because it would tend to keep us from being involved as we became involved during the World War.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. FORD of Mississippi. I yield.

Mr. KUNKEL. If these loans are not paid at the end of 90 days, they become automatically renewed, do they not?

Mr. FORD of Mississippi. They do not.

Mr. KUNKEL. If the loan continues, what are you going to do about it?

Mr. FORD of Mississippi. Just as we have done in the past.

Mr. KUNKEL. If you once let that loan get established, you have established a credit that may become permanent, have you not?

Mr. FORD of Mississippi. We must have commercial transactions with the foreign nations of the world. If we do not, we perish economically. There is no way around that. We cannot bottle ourselves up in this country without having the usual commercial transactions; and if it is necessary to extend loans in order to carry those on, and those countries become engaged in war, then, of course, demand will be made for them to pay. If they do not pay, we can only extend it for 90 days. If they refuse to pay, then, of course, there is nothing we can do but refuse more loans and thereby prevent them getting deeper in debt to this country or its nationals.

Mr. SHANLEY. Will the gentleman yield?

Mr. FORD of Mississippi. I yield.

Mr. SHANLEY. The Johnson-McReynolds Act prohibits loans, and I know the gentleman is in favor of that act. That is one of the most salutary laws that we have had in post-war days. In your opinion, is there any danger that any of the amendments or specific acts that we have today on the statute books would in any way interfere with the Johnson-McReynolds Act, prohibiting loans to foreign debtor nations?

Mr. FORD of Mississippi. In my judgment, the amendments would not. This bill goes right along in connection with that act and adds something to it, because this section deals with belligerent states, and the Johnson-McReynolds Act deals with our present debtor nations.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FORD of Mississippi. I yield.

Mr. VORYS of Ohio. The Johnson Act has this exception, "excepting renewal or adjustment of existing indebtedness." This bill, which comes later, provides a new kind of existing legal indebtedness. Would not the gentleman say that, therefore, the Johnson Act is, by implication, extended so that it would except from its terms loans which the President would permit to be made under the amendment which is to be offered?

Mr. FORD of Mississippi. Oh, not in the least, because the Johnson-McReynolds Act deals with debtor nations at the time the act was enacted. This deals with such countries as may become engaged in war in the future.

Mr. VORYS of Ohio. But the Johnson Act excepts from its provisions existing indebtedness.

Mr. FORD of Mississippi. Yes; but at the time of the enactment of the act. By that language and provision, it cannot keep on excepting existing indebtedness, because if it did it would not have any effect at all.

Mr. VORYS of Ohio. If it would permit a new kind of legal existing indebtedness, would that not clearly come within the exception of the Johnson Act?

Mr. FORD of Mississippi. Section 4 simply deals with those countries that may owe us in the future and which may hereafter become engaged in a state of war. That is the only possible meaning it could have. It would give the President power to deal with those conditions.

The law also provides that no bonds or other obligations of belligerent states shall be sold in the country and to our nationals. If that does not tend to promote peace, I do not understand what the promotion of peace is. The bill also prohibits the solicitation of funds for belligerent countries, and that should tend to keep down feeling in this country and thereby promote peace.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. FORD of Mississippi. I yield.

Mr. COOLEY. Will you explain to the committee why it was that the Foreign Affairs Committee would not insert a

provision in this bill with regard to travel by American citizens on American vessels and vessels of other neutral nations?

Mr. FORD of Mississippi. Certainly we did not want to restrict travel of our own citizens on our own vessels.

Mr. COOLEY. In other words, your committee is perfectly willing to have another *Lusitania* incident by providing that you can have mixed cargoes of human beings riding on top of implements of war, headed for belligerent ports. Is that not true?

Mr. FORD of Mississippi. No; I think not. If my memory serves me correctly, the *Lusitania* was a British ship.

Mr. COOLEY. Would the gentleman object to a provision which would make it unlawful for citizens of our country to travel as passengers upon ships the bottoms of which were loaded with implements of war?

Mr. FORD of Mississippi. Does the gentleman mean our own ships?

Mr. COOLEY. Yes.

Mr. FORD of Mississippi. How in the world could you man the ships if our own citizens did not travel?

Mr. COOLEY. I said "travel as passengers"; not as members of the crew.

Mr. BLOOM. That is covered by the rules and regulations. That question has never been before the committee.

Mr. COOLEY. I would be glad if the gentleman would point out what provision in this bill prohibits the very thing that happened when the *Lusitania* went down.

Mr. FORD of Mississippi. I know of no absolute provision to that effect, and personally I would have no objection to such an amendment.

Mr. COOLEY. Section 2 deals only with vessels of belligerent states and does not deal with vessels of the United States.

Mr. FORD of Mississippi. That is correct. Another important provision of the pending bill is contained in section 4, subsection (d). This section provides that when the President issues a proclamation under section 1 of the act, it shall thereafter be unlawful, except in accordance with such rules and regulations as the President shall prescribe, to export or transport to any state named in the proclamation any articles or materials until all right, title, and interest therein shall have transferred to some foreign government, agency, institution, association, partnership, corporation, or national. This is a departure from international law, but, in my judgment, a wise one, since it prevents our citizens from making claims for any losses that might arise from the seizure or destruction of property which they might sell to countries engaged in war. I think this provision will do much to promote peace and keep us from becoming involved in any foreign entanglements. I would like also to call attention to the fact that the proposed bill continues the National Munitions Control Board and requires munition manufacturers to register with the Secretary of State and also makes it unlawful for them to export arms, ammunition, or implements of war without first having obtained a license therefor. This provision enables the Secretary of State to keep a close watch on all munition manufacturers and their business with foreign countries. It is a wise provision and should be retained.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. Ford] has expired.

Mr. BLOOM. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, for 3 days now the pending House joint resolution to amend the 5-year-old so-called Neutrality Act has been debated on the floor of this House. For the most part, the debate has been on a high plane during which time the issues involved have been discussed. Only one or two Members have insisted upon injecting personalities into the debate. Although there are wide differences of opinion on the floor of this House, the same as there are vast differences of opinion throughout the country, it is only fair to say that it is obvious that all Members who have participated in this debate have one outstanding purpose in mind and that is for America



to remain at peace with the rest of the world. I am sure that this also applies to every Member of this House irrespective of his views on neutrality or political affiliations.

I think it is generally conceded that no one Member of this House or group has a "corner" on all the patriotism in the land. All good, sincere citizens in and out of Congress desire to aid in keeping America out of war; yet, from the very beginning of this debate, the gentleman from New York [Mr. FISH] has repeatedly referred to war hysteria of this administration, as if Uncle Sam is parading over the world looking for someone to fight. Evidently the gentleman is laboring under the hallucination that someone in this Congress, or connected with this administration, is anxious to start a war any moment. No one should object to helpful and constructive criticism, either against the present so-called Neutrality Act or against the pending bill to drastically amend the present law. For anyone to assume, however, that any Member of either House of Congress, or the President of the United States, our great Secretary of State, or any other Member of the President's Cabinet would purposely espouse a foreign policy that would drag this country into a war with any nation on the face of the earth, is manifestly unfair and ridiculously absurd. There has, of course, been a lot of war-hysteria talk over the radio and upon the floor of this House, but such talk has come largely from those who for political purposes insist upon singing a hymn of hate against the President who has used every power at his command to keep America out of another awful war.

The most horrible thing imaginable is war. Such legalized murder should be outlawed by every civilized nation of the world. War never settles anything. Generations yet unborn will still be paying dearly for the World War after we shall have long since passed from the present scene of action that we were told was to make the world safe for democracy, but in fact made it safe for the war profiteer, the munition makers, and certain international bankers.

No one is here advocating war. All are agreed that this horrible, uncivilized, and barbaric practice of legalized military murder has no rightful place among honorable and decent people. [Applause.] But all admit it is extremely difficult, if not impossible, to legislate in time of peace to forestall future international emergencies. All agree it is impossible to legislate against passion, prejudice, intrigue, and rascality.

Because of insinuations, charges, and countercharges about war hysteria, I have endeavored to make it plain that all loyal patriotic American citizens are, of course, opposed to war. Not only do our people of all classes, young and old, wish to remain definitely out of any and all entangling alliances in the Old World, and therefore out of any and all future wars, but this is especially true of our war veterans and their wives and families. I say this for the reason that there are some who apparently believe that to be a war veteran is to be a jingoist, who would like for America to become involved in every misunderstanding or international disturbance across the seas. But, of course, nothing is further from the truth.

Who could possibly know better than our war veterans and their wives, mothers, and sisters of the horrors, heart-breaks, and utter stupidity of war? Having served as a buck private during the World War, with many months of overseas service, and having a vivid remembrance of my experience in the front lines with the Thirty-sixth Division, I think of war as a horrible and unforgettable nightmare. More than three millions still left of the four and one-half millions of veterans of the World War, as well as veterans of other wars, their mothers, wives, widows, and children, will join in a fervent prayer that America mind her own business and stay forever out of war or any entangling alliances that might possibly involve us in future wars. [Applause.]

Let me add, in this connection, that one thing war veterans and their wives and children have consistently and

enthusiastically been fighting for during the past 20 years is for a real law with teeth in it to eliminate, if humanly possible, any future war profiteering. That, in my judgment, would do more toward maintaining the peace of America and the world than all the neutrality legislation we might write during this or any other Congress. [Applause.]

For many years patriotic citizens have gathered from almost every town and hamlet in the United States in conventions annually here in the Nation's Capital and have discussed and passed resolutions on the cause and cure of war. At each convention the long list of the causes of war has grown longer, but no group in or out of Congress has ever found a sure cure for this horrible holocaust called war. As long as there is hatred in the hearts of men and a mad desire on the part of war lords for power, there is no possible way to legislate war out of existence.

Of course, there is no sure cure for war any more than there is a cure for thievery, highjacking, or murder. Yet the most perplexing problem facing us as lawmakers is how to enact sane and practical legislation that will promote the spirit of peace and good will and to at least do our utmost in preventing America from being embroiled in another death struggle. For my part I can think of no condition at this time that would cause me to vote to send an American soldier to a foreign soil to help settle foreign quarrels of ungrateful nations across the sea. [Applause.]

But getting back to the pending bill, serious objection has been raised against the bill, the heart of which, if passed, will eliminate the controversial embargo clause. The most of us supported the present neutrality law in good faith believing that it would help keep our country neutral between any two warring nations. It is generally agreed, however, that the present law is unfair and unneutral. That it has had the exact opposite effect from that which we had anticipated no one can truthfully dispute. It has penalized the weak and helpless nations and made us practically an ally of some of the strong aggressor nations, nations which are more interested in expanding their borders than in aiding in the maintenance of world peace. As has been repeatedly brought out in this debate, the United States, under the present weak and unsatisfactory law, is actually aiding Japan by shipping war materials, scrap iron, and other sinews of war against poor helpless China. Such a condition is not only indefensible but absolutely unconscionable. [Applause.] So it is quite evident that 5 years of unneutrality have demonstrated the futility of the present law. It is also clear that the law must either be discarded or drastically amended. We have no neutrality now.

It would now appear that the objectionable features, actual and imaginary, will be deleted from this bill before its final passage. Now that this has been practically agreed upon, I am delighted to see some of the ablest Members of the minority side enthusiastically supporting this legislation. This is not a political question. It is not a partisan matter and should not be thus treated. Yet a few, unfortunately, have attempted to inject partisan politics into this discussion. Despite the barrage of unfair criticism that has been leveled at the President and his foreign policy, I feel that a vast majority of our people, regardless of politics, are convinced that he has done everything humanly possible to promote the good-neighbor policy among the nations of the world and to prevent our country from being drawn into another devastating war.

It is significant that our great Secretary of State, Hon. Cordell Hull, also a lifelong advocate of world peace, and whose firm but fair position toward all foreign governments—a policy that has met with widespread approval throughout the entire country—has wholeheartedly endorsed the pending bill. For my part, I prefer to heed the advice and counsel of President Roosevelt and Secretary of State Hull on foreign affairs than some of those who so bitterly assail them because of their straightforward and sincere foreign policy. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT], who for 3 years was national commander of the Veterans of Foreign Wars.

Mr. VAN ZANDT. Mr. Chairman, because of my activities in veterans' affairs in the recent past it has been suggested that I should voice the views of veteranism on the question of neutrality. Let me hasten to disclaim any such presumption. I speak only for myself, as a Representative of the Twenty-third District of Pennsylvania.

It is true that as commander in chief of the Veterans of Foreign Wars of the United States for three terms it was my privilege to speak for that splendid organization of overseas veterans of all wars and campaigns of this country since the Spanish-American War. I also am proud of my membership in the American Legion, which has done so much to perpetuate a fine spirit of patriotism in America.

My duties as commander in chief of the Veterans of Foreign Wars brought me in contact with thousands of veterans in all sections of the country. They are my "buddies," my best friends, and, naturally, I have kept in close contact with them since I left my official post. I receive scores of letters from veterans throughout the Nation in my mail every day. Therefore, I am in a position to know what is in the minds and the hearts of the veterans of America. And while I do not assume to speak for any veterans' organization, I feel that I can reflect accurately the opinions held by the vast bulk of the rank and file of veteranism. And since the average veteran is the average American, I am confident that the views that I express here are the views of an overwhelming majority of the American people on the question of neutrality and the even more vital question of war which goes hand in hand with it.

In making separate mention of the veterans I do not intend to make any distinction among the American people. If there is any difference between the veteran and the non-veteran, it is this: The average veteran is even more bitterly opposed to war than the average American, if that is possible. Veterans who fought in France saw their "buddies" die beside them. They saw the bodies of other messmates riddled with shrapnel and their best friends writhing in agony that comes from gas.

When you consider that only 35,931 men in the American Expeditionary Forces were killed in action but 14,785 died of wounds and 122,558 died of other causes out of the 4,791,171 men actually mobilized in the armed forces during the World War, a remarkably high percentage escaped unscathed by bullets. But the horror of the hateful experience of war was stamped upon their memories. They know the utter futility of that war fought "to make the world safe for democracy."

It was not so much their own experiences that make the surviving veterans hate war, but the sight of their crippled comrades, maimed for life. Death would have been merciful to some of the boys who returned from France. I have seen thousands of them in veterans' hospitals throughout the country awaiting their rendezvous with death. There they lie, 20 years after the last shot was fired in France, thousands of men still suffering with lacerated flesh, suffocated lungs, shattered limbs, mangled bodies, and shadowed minds.

No man could gaze upon the sights I have seen without an appalling sense of the brutality and hideousness of war. That feeling is shared by veterans generally and that is why veterans hate war. That is why veterans oppose so bitterly any policy that is likely to lead us down the road to war. That is why the average veteran and the average American demand a strict neutrality policy that will keep us out of war—other people's wars. That is why they demand that this country keep free from entangling alliances, either express or implied, because that is the inevitable way to war.

But, as much as the average veteran and the average American hate war, they always are ready to fight in a war of defense. The American people are prepared to defend our own shores and our possessions overseas. They are prepared to maintain the Monroe Doctrine by defending any part of the western world from attack by force or from political encroachment by any Old World powers.

The President repeatedly has expressed himself as a believer in the Monroe Doctrine "in all its pristine purity." On that point, the President is at one with the vast and overwhelming majority of the American people. And that is the basis of our policy of hemisphere defense.

But the President has failed to follow the Monroe Doctrine in its entirety. The President apparently has forgotten the Monroe Doctrine is in two parts—two essential parts, two parts each of equal importance to the American people. If we are to maintain the Monroe Doctrine "in all its pristine purity," we must remember that one part of that fixed foreign policy of the United States was especially designed to keep us out of other people's wars—Old World wars.

Let me quote, in part, from the message sent to Congress on December 2, 1823, by President Monroe, the message out of which grew that famous doctrine. I quote:

Of events in that quarter of the globe with which we have so much intercourse, and from which we derive our origin, we always have been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we never have taken any part nor does it comport with our policy so to do.

In other words, the Monroe Doctrine, "in all its pristine purity," assumes an inherent right to deny European interference in the western world, but that right is directly dependent upon our promise and our policy not to take part in the wars of European powers. If the second and highly important part of the Monroe Doctrine is omitted, then that 116-year-old policy becomes a selfish instrument. If we ourselves violate the "pristine purity" of that great doctrine, we put ourselves in the false position of demanding of other powers that which we ourselves are unwilling to give—that is a guaranty to keep our hands out of Old World affairs, while we demand that Old World powers keep their hands out of the western world.

Whether we had what we regarded at the time as good and sufficient cause to enter the World War on the side of the Allies, the fact remains that we violated the Monroe Doctrine "in all its pristine purity" when we did so. And we have had cause to regret it ever since. It is idle to say that we might have had greater cause to regret it if we had failed to throw our weight on the side of the Allies and thus win the war. I have yet to find one single benefit the American people derived from the World War.

And merely because we, ourselves, violated the Monroe Doctrine once, that is no justification for violating it a second time by adopting a policy now which, in all probability, would give future generations cause for regret and, in all probability, just cause to curse us in our graves.

A moment ago I said that I had failed to find one single benefit the American people derived from the World War. I now wish to modify that statement with a reservation. We had a bitter experience which can prove a lasting benefit to the American people if we will but profit by it. If we toss that experience aside, then I will allow my original statement to stand—the American people have not derived one single benefit from the World War.

For that reason alone we should exercise the greatest care and caution about passing a measure in the name of neutrality which would be anything but neutral. In the first place, unless there is a will to neutrality the word becomes empty and meaningless. And there is no will to neutrality in the measure before the House. It is not designed to keep the United States from taking any part, directly or indirectly, in a war between two powers. It is designed to put the United States in a position to become the indirect ally of the so-called democracies of Europe in the event of war with the dictator nations.

Unless a neutrality law or a neutrality policy will keep us out of war, other people's wars, it is worthless. How could the United States become the indirect ally of the so-called democracies, their ammunition depot, in fact, and yet remain neutral? And, what is more to the point, how could we long remain out of the war as an active ally? The answer is



obvious. We would be in for another bath of blood and tears, another series of economic dislocations and depressions. And in the end we might sacrifice our own democracy by reason of our unneutral actions and our ultimate participation in the war. Any mis-called neutrality measure, such as the Bloom resolution as it stands, which almost certainly would lead us into war—other people's wars—is worse than worthless. It is a fraud, a delusion, and a snare.

No other characterization could more aptly fit the Bloom resolution as it was presented to this House. It was "rail-roaded" through the Foreign Affairs Committee with unseemly haste in an effort to foist it upon the American people in the name of neutrality. It was not until after the measure was reported to the House that Congress and the country became fully aware of the grave dangers inherent in the measure.

Now that the plans of the administration to rush this resolution through the House have gone awry, the full significance of the adroit and deceptive language of the measure has become apparent to all who can read between the lines. It now is obvious that the purpose of this measure was to commit the United States to a virtual war alliance with the so-called European democracies. The tricky language was calculated to make the United States the ammunition depot for Britain and France, if and when war breaks out in Europe, with that pair on one side and the dictator nations of Germany and Italy on the other side.

If we should aid one side in a general European war, our experience in the World War is sufficient proof of our eventual entrance into the conflict on that side. The sympathies of the administration in power at that time were on the side of the Allies and we finally declared war on Germany. History could not fail to repeat itself in the event of another European war with the same general line-up of foes.

As I have stated repeatedly, I am not complaining about the side that would be chosen in advance for American boys to fight on in the next European war. I protest against American boys being thrust into any war on either side in the Old World. It is possible that we might be drawn into the war by the same methods that sucked us into the World War, but by the eternal, I do not propose to sit here silent when an attempt is made to trick the American people into a war alliance by legislative action.

I will grant that a vast and overwhelming majority of the American people abhor Hitler and despise Mussolini. The totalitarian state is repugnant to American ideals of democracy. And the methods used by that precious pair of dictators in governing their unfortunate people is even more repulsive to free-born, liberty-loving Americans.

While the so-called democracy of Britain and France is not democracy as we know it, it is far closer to our conception of good government than the ruthless regimes now in power in Berlin and Rome. But a people deserve no better government than they get. If Germans and Italians wish to submit to that yoke, that is their business, not ours.

Furthermore, the question of sympathy for England and France or antipathy toward Germany and Italy is not involved in honest neutrality legislation. The question before the House and, more properly, before the American people, is this: Shall Congress, in the name of neutrality, enact legislation which would be a virtual war alliance with any nation or nations?

If we are going to turn our backs, close our eyes, and shut our ears to the solemn warnings of Washington, Jefferson, and Monroe against all entangling alliances and participation in the wars of Europe and enter into a war alliance with the so-called democracies, then the proposition would not properly come before this House. If the President wishes to toss all our traditional policies into the scrap heap, it is within his constitutional powers in the conduct of foreign relations to negotiate a war alliance treaty with Britain and France against Germany and Italy. That is the orderly procedure in such matters. Treaties with foreign powers are not originated and consummated by legislative action of Congress alone.

Naturally, the President does not dare to flout American public opinion in any such high-handed fashion. And, even if he dared to do such an outrageous thing, he knows full well that the body at the other end of the Capitol never would ratify any such alliance. The storm of protest aroused by some of the President's domestic policies, which led to their ignominious defeat, would seem like a mild summer zephyr in comparison to the cyclone of disapproval which would sweep this country if he dared to play ducks and drakes with our foreign policy in that manner.

Nevertheless, that would be the honest and straightforward way to proceed in this matter which so deeply affects the lives of the American people, the lives of generations unborn. That sort of procedure would give the American people an opportunity to learn what was going on behind the international scenes. They would have full knowledge of what such a treaty meant to them and they could make themselves heard in no uncertain fashion.

Strangely and sadly for the leader of a democracy, under which the Government is supposed to derive its just powers from the consent of the governed, the President has seen fit to seek extraordinary powers never dreamed of by the makers of the Constitution and to achieve his ends by indirection.

Of course, it is difficult to say at this date what might have happened if the American people had been aware of what was transpiring behind the international scenes during the days before this country entered the World War. But, the fact is, they did not know what was going on. The then President, some of his intimates, but not all of his Cabinet, and a few international bankers, knew what was happening and how America was being eased over the brink and into war. But the American people were in complete ignorance of the diplomatic double-dealing that was double-crossing them.

I say to you gentlemen of this House, if the American people fight the Nation's wars, die in the wars, and then pay for the wars, they are entitled to know all about why we might go to war, how we are going to be drawn into a war, when we are likely to go to war, and on which side we are going to fight the war. Neither the administration nor the Congress has any right to keep the American people in the dark about such a grave matter as the danger of war.

I have listened with some impatience to the arguments made by gentlemen seeking to justify this measure. I have heard the threadbare argument that this measure is only intended as a bluff to make the dictators behave. The roars of the British lion have failed to frighten Mussolini or halt Hitler's march to the east. And, it is extremely doubtful whether we could run a bluff on the dictators with a phony neutrality law, even if it amounted to a virtual war alliance with the so-called democracies.

I do not for a moment question the President's desire to avert a war in Europe, but I do question the wisdom of any policy or program which would result in the United States being involved in war. If the President believes it is the will of the American people, if he believes he can get away with it, let him go the whole hog on this proposition. Let him tell Hitler and Mussolini point blank that the United States is prepared to aid, or even fight on the side of Britain and France, in the event of war with the dictators. Instead of asking Congress to enact a phony neutrality law and achieve a war alliance by indirection, let him announce his purpose to Congress, the country, and the world.

Since this measure was reported by the Foreign Affairs Committee, the administration and the members of the committee have been hearing from the country. Now we are told that the most objectionable sections will be withdrawn. I have no doubt the gentleman making that announcement made it in good faith. But if that is done, the measure certainly will not be acceptable to the President. Moreover, it will not be a sound neutrality measure no matter what is done to it by this House.

The longer I study this cross-word puzzle of neutrality by law, in which the words come out neutral when read across and unneutral when read down, the more firmly I am con-

vinced that legislative neutrality is an impossibility in the world situation today. It would be far wiser to scrap the entire neutrality law and toss this measure into the wastebasket than to enact an unneutral neutrality law with the avowed purpose of aiding either side in any war.

Under the present conditions in the world, it would be far safer for America to adopt a strict and sincere policy of neutrality, not a law. Our current royal visitor, Prince Olav, pointed out in an interview appearing in this morning's papers that the Scandinavian countries do not have neutrality laws, but maintain strict neutrality policies. And it is significant that the Scandinavian countries were able to remain neutral throughout the World War with that conflict raging in their back yards.

The first essential to the maintenance of neutrality is a strong national defense. History has demonstrated that the neutral rights of nations are not respected by the belligerents in war unless the neutral is powerful enough to enforce respect. Even such a potentially powerful nation as the United States, which found itself woefully unprepared at the outbreak of the World War and far from prepared even when we entered the conflict, had its neutral rights disregarded and our nationals and our ships subjected to all sorts of indignities by England before Germany began sinking our ships and killing American citizens.

But surely it would be far safer for the United States to adopt a strong policy of actual neutrality than a phony, unneutral proposal such as we find in the original Bloom bill. Under the Constitution, the President is entrusted with the conduct of foreign relations. But Congress and Congress alone can declare war. In view of the highly explosive state of affairs in Europe, Congress should be taken more into the confidence of the administration about the developments in the Old World. And, above all, Congress should be consulted before any action is taken that would have the effect of committing us to war. Congress should be consulted before—not after—the deed is done and America's course is beyond the control of Congress.

Wars do not come overnight, as a rule. Wars usually come as a consequence of a train of events. We have seen the long and hideous shadow of a general war in Europe for more than a year now. No one has any doubt about the eventual outbreak of hostilities. Only the time for the start of the war is obscure to us.

Perhaps it is unnecessary for Congress to remain in session indefinitely awaiting the outbreak of war. Perhaps it may come before this session adjourns. In any event, if Congress is not in session when some new emergency arises, Congress should be convened at once. Congress could enact any emergency measures necessary to meet any special circumstances that might arise. And thus we might avert and avoid the necessity of American boys ever again going to fight a war on foreign soil.

No Member of this House wants to go home and tell his constituents he voted for a measure, which even remotely held the danger of war within its four corners. Therefore, I urge the Members of this House to hesitate and to reflect before they vote for any so-called neutrality law, which would have the practical effect of aiding and abetting any nation or set of nations in the Old World in this coming war. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, I am for strict neutrality in dealing with foreign countries, and firmly adhere to the principles laid down by our first President, George Washington, in his farewell address.

Few of us today realize, or can appreciate the dangerous difficulties met and overcome by our early Presidents in guiding our country through perilous times of an early existence, and establishing the Nation on a firm foundation of freedom and independence.

History tells us that President Washington postponed his retirement to Mount Vernon on account of the "perplexed and critical posture of our affairs with foreign nations." It

is difficult for us today with our secure and well-defined borders, with our closely welded and tested Union, with our long and popular tradition—but lately disturbed—of indifference to the quarrels of the Old World, to realize how dangerously exposed we were in the earliest years of the Republic to the storms of European politics. The Revolution, although it secured our political independence, did not make us economically independent of Europe. After the war, as before it, our prosperity depended on our foreign commerce. Manufactures were in their infancy. Laborers were scarce and land was abundant. Our enormous surplus of foodstuffs, lumber and timber, fish, and tobacco had to be exchanged abroad for the luxuries, and even for some of the bare necessities, of civilized life. We were vitally concerned, therefore, in the commercial policy of the European maritime and colonial powers—France, Spain, Holland, and Great Britain. Furthermore, the land between the Alleghenies and the Mississippi was a vast "arena of friction." Indian tribes and confederacies still harassed our settlements as they spread northward from the Ohio and southward from the Cumberland, while the agents of England and Spain, our neighbors on the north and south, were busy with a disavowed but rather obvious propaganda to encourage the Indians in their resistance to the establishment of our authority in the lands which had been ceded to us by the Treaty of Paris. England even retained garrisons in half a dozen fur posts strung along the Lakes from Dutchman's Point on Lake Champlain to Mackinaw on Lake Michigan—all in the territory of the United States.

Our diplomatic relations also were highly unsatisfactory. With Spain, who had been the ally of our ally France in the Revolution, we had made no treaty at all in 1783, nor were we able to conclude one in the critical years that followed, although Spanish control of the Mississippi and Spanish possession of Florida (lying all along our southern border) made an agreement concerning the navigation of the river and the policing of the hostile tribes of Creeks and Cherokees an imperative necessity. With France we had a treaty, the earliest in our national history, dating from the dark days of the American Revolution (1778). But as this treaty was in the form of an alliance, pledging us under certain conditions to fight by the side of France for the protection of her American (West Indian) possessions, and giving her the privilege of using our ports for her prizes of war, it proved eventually to be more of an embarrassment to us than the lack of a treaty with Spain. As to England, there was, of course, the famous treaty of 1783. But instead of settling old disputes, this treaty only opened new ones. Every article in it, except the first, which recognized the independence of the United States, led to contention and mutual charges of bad faith.

To deal with the delicate diplomatic situation we should have had a well-organized department of foreign affairs, with the tradition of a firm and consistent policy, backed by the strength of the united Nation. Instead of that, when Jefferson assumed the office of Secretary of State, in the spring of 1790, he inherited a legacy of mistrust and contempt bequeathed by the weak Government of the critical period. It was certain, under these conditions, that the first serious strife among the maritime nations of Europe would be the signal for trouble in America. And, indeed, it looked as if that trouble were at hand in the very first year of Washington's government, when Great Britain threatened to go to war with Spain over the seizure of British ships attempting to establish a trading post on the western coast of America at Nootka Sound. In case of war the British would probably march across our territory from Canada to attack the Spaniards on the Mississippi. They would kindle war in Florida and Louisiana and rouse the Indian tribes on our borders. Fortunately, the war cloud blew over and our country was left in an apprehensive state of peace during Washington's first administration, to establish the Federal Government.

Hardly was Washington seated in office for a second time, however, when the storm burst. In the first days of April 1793 a British packet sailed into New York bearing ominous news. The French Republic, whose baptismal victory over the Prussians at Valmy the Americans had celebrated with civic feasts and processions, with bell ringings and banquets, only a few weeks before, had fallen into the hands of the radicals, who had guillotined their King, hurled defiance against all the thrones of Europe, and added England, Holland, and Sardinia to the list of their enemies in arms. A few days after the arrival of this news citizen Edmond Genet, the Minister from the French Republic to the United States, landed in Charleston with "the smell of blood on his ambassadorial garments." Genet was enthusiastic, vain, rash, and emotional. He came not as a diplomat but as the agent of the French Republic. Even before his credentials were presented at Philadelphia he began to violate the principles of international courtesy and law, equipping vessels in our ports to fight the British, enlisting our seamen, establishing courts for the condemnation of prizes, ordering French consuls to carry out his belligerent plans, demanding an advance



payment of the interest on the French loan for the purchase of war supplies.

As Genet was making a triumphal progress up to Philadelphia, feted by the Francophile Republicans of the Southern States, the President summoned his Cabinet for advice as to how to treat the new envoy. Should he be officially received and the republic which sent him recognized? If so, what would be the effect of our relations with those maritime countries with which the French Republic was at war and with which our trade was flourishing? There was the embarrassing Treaty of Alliance of 1778 with France, pledging us to fight her battles and opening our ports to her prizes. Was there occasion now for France to demand fulfillment of the pledge and so involve us in a war with Great Britain? The Cabinet agreed unanimously that Genet should be received, but that, at the same time, a proclamation should be issued forbidding our citizens "to take part in any hostilities on land or sea with any of the belligerent powers" or to carry contraband goods to their ports. Washington published the proclamation on the very day that Genet entered the Capital, April 22, 1793.

#### "THE PROCLAMATION"

"Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, of the one part, and France on the other; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers:

"I have, therefore, thought fit by these presents to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

"And I do hereby also make known, that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations, will not receive the protection of the United States, against such punishment or forfeiture; and further, that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons, who shall, within the cognizance of the courts of the United States, violate the law of nations, with respect to the powers at war, or any of them . . . ."

France had sent us men, ships, and money to help secure our independence. France was our ally now, and England a surly neutral. France was a republic, proclaiming the end of the reign of despots and of the privileges of aristocrats in the Old World as we had proclaimed it in the New World. France had thrown open her ports to us, while England forbade us to use them. Should we treat our enemy better than our ally? We had dismissed Genet for overstepping the bounds of propriety, but we tamely allowed England to retain our fur posts, to seize our ships, and to impress our sailors. If the French faction did not want war with England, at least they were willing to go to the very verge of war.

But Washington was determined to have peace. In April 1794 he appointed John Jay, Chief Justice of the Supreme Court, as special envoy to Great Britain to negotiate a treaty.

Our first President, having successfully guided our Nation through all the dangers that beset the Government by firmly establishing the principles of neutrality, left for our guidance, in turning over the responsibilities of our Government to his successor, the principles laid down in the imperishable words of his Farewell Address, which have been followed in making America a Nation that is preeminent among world powers.

Let us heed the advice of Washington today and not yield to the "insidious wiles of foreign influence," and remember his admonition to "observe good faith and justice toward all nations; cultivate peace and harmony with all." Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas, is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded; and that, in place of them, just and amiable feelings toward all should be cultivated.

And remember that he cautioned:

A passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the allusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gliding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues of foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot.

And for guidance—

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions or her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another.

And today, in light of the experience of the years since our Nation was founded, as a Member of this House, I sanction his statement as did the Members of Congress 146 years ago, when he said:

My proclamation of the 22d of April 1793 is the index to my plan, sanctioned by your approving voice and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

Mr. Chairman, in conclusion, let us firmly adhere to the principles of neutrality and deal justly and equitably with

all foreign nations with malice toward none and friendship for all. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I realize that an adequate speech cannot be made on this subject in any 3 minutes. I started off with the idea in mind of having 20 minutes.

I realize, of course, that this is not a perfect bill that has emanated from any one brain. Much has been said about those who have contributed to the bill. We must not forget the hand of Secretary Cordell Hull and his part in it. Contributions have been made by others, even from the negative side of the subject, and still other contributions will go into the bill before its consideration is completed.

I realize, and I think we all realize, that the foreign policy of the United States is its first line of defense. Nothing is ever lost in an international relations policy by reason of clarity, plain dealing, candor, and a fair way of handling affairs. There are a few things that must be done in carrying out the Nation's foreign policy and there are a few things that we cannot forget, some things about which the United States must say, "This is ours, and we maintain it." That is done here, not as forcibly as it could be done, but as much as is dared to be done. This makes for peace and security, makes for the sort of thing that people understand. Would you rather in your personal affairs deal with a man when you know nothing of what is going on in his heart, or with one who has expressed himself, and you know where he stands? This is the issue: Whether a positive, absolute method of dealing with something set out in metes and bounds that are held up to the Nation shall obtain, or whether there shall be employed a method of inertia, inactivity, and negation. This, as I see it, is the issue here, the only thing on which any great issue has been drawn. So we have here the land of Thomas Jefferson, the country of Stephen Decatur and John Hay, the land in which Monroe laid down his famous doctrine. The policies outlined in the early days were clear enough, were they not? Whenever we have here a measure that can be brought before us that deals in fairness and sets up specific things on which we can put our finger and say, "This is what Uncle Sam will do," do not forget that whenever we move among nations and deal in international relations we always have to deal through the heads of the nation in a moving, changing picture; we must act through proclamation—proclamation by the Nation's head. This is what we are trying to say and do in the powers that are being given to the Chief Executive by this act. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 4 minutes to the gentleman from Maine [Mr. BREWSTER].

#### SELLING ARMS

Mr. BREWSTER. Mr. Chairman, the sole issue, in my judgment, is whether or not the arms embargo shall be continued. That policy was adopted by the almost unanimous action of this Congress 4 years ago.

We are now on the verge, apparently, of another cataclysm. There is a difference of opinion as to whether or not our failure to embargo arms 20 years ago brought us into the World War, but it cannot be successfully denied that we followed then the policy of international law which is now so earnestly urged as the prescription for our economic and international ills. We reelected a President upon the proposition that he kept us out of war; yet within 4 months after that, under this international law that we hear so highly touted now, America went into the war and from the consequences of that holocaust we are still struggling to free ourselves.

Mr. Chairman, 4 years ago this Congress solemnly resolved that we would do away with arms sales in the event of war. I hear it suggested that we leave freedom to the President. We decided after the World War that we would not guarantee the status quo. That was the meaning of the decision of America to stay out of the League of Nations; yet today we are being led toward the holocaust of war, not merely to guarantee the status quo but in order to follow a new and

insidious doctrine of collective security which is held by those in high authority.

#### LIMITING POWERS OF PRESIDENT

We decided to limit the powers of the President and the Secretary of State because they were honest enough to tell us exactly what they believed. They believed that they should unite with the so-called democracies, in which they include Russia, the greatest and most sinister dictatorship on this earth, to prevent other countries from recovering what we ourselves at Versailles condemned as an unwise and unjust treaty—one that deprived great powers of things they should rightly have. Yet today we are being led again to the brink of that abyss. I ask that America stand by the policy solemnly adopted 4 years ago and that we keep America on a peacetime economy.

I recognize the subtle distinctions which may be drawn as to the sale of arms and other implements of war. I agree with all that. One may even point out that this goes to a substantial extent in the direction of that assistance to certain countries that some so much desire. But I say that America can guard its heritage by keeping our economy on a peacetime basis rather than by making America a great arsenal. France and Britain have not the gold to pay for a single year of war. That means we must either extend them credit or take goods in exchange. And all for what? To preserve the status quo that the statesmen of Great Britain themselves admit is utterly indefensible. [Applause.]

#### WAR OR PEACE?

The question of war or peace vitally concerns every town and every citizen of the United States. It is well that Congress and the country should pause occasionally to consider the direction in which we are being led.

Norway, Sweden, Denmark, and Holland kept out of the World War, although those countries were on the very edge of the abyss with myriad daily contacts with both sides. Keeping America out of war should be much simpler when we contemplate our strength and our resources and the 3,000 miles of ocean that separate us from the scene of conflict.

What mysterious power cultivates so insistently and insidiously the idea that America must necessarily be involved in any future war? That idea is public enemy No. 1 to persuade us immediately to join Europe in choosing sides.

Congress by an overwhelming majority has adopted a certain policy to keep us out of war. Now it is proposed to change that policy in order, as everyone admits, to help one side in what is believed to be an impending conflict. By no stretch of the imagination can that be called neutrality.

#### WHAT IS THE ISSUE?

The immediate issue is as to what rules the Congress shall lay down for the conduct of our foreign relations in the event of war. At the present time in the event of war the President is obliged to stop all shipment of arms and munitions to any of the belligerents. The President wishes to do away with this limitation and permit belligerents to buy arms and munitions here, providing they pay for them in cash and take them away in other than American ships.

England and France are very much concerned that they shall be able to buy arms and munitions in this country in the event of a European war. The British Navy would presumably control the sea and be able to carry the munitions to Europe; America would thus become a great arsenal for supplying Britain and France.

#### GOOD BUSINESS OR FOOL'S GOLD

At first flush this seems like a good business proposition. Those who oppose this proposal, however, point out that the gold supplies of Britain and France are now depleted to such an extent that they would be able to pay for these munitions in cash only for a very limited period, even assuming we wanted any more gold. Fool's gold it has well been called. Thereafter we should be obliged to take goods of some character in exchange. This would mean that while we would occupy some Americans in making munitions we would throw other Americans out of employment in the industries affected by the imports from abroad. Gradually our entire economy



would become dislocated. America would find itself on a war basis until finally our participation in the war might again seem the only solution of our troubles. Some suggest that this is a part of the plan.

This past week, coincident with the return of the King and Queen to London, it was announced that discussions were underway regarding the refunding of the British debt in order to clear the path for further loans from America.

#### WHAT DOES THIS MEAN TO AMERICA?

Every town in America contributed boys to the last war, and some of them never returned. This will be even more the case in the next war, as the instruments of destruction have so terrifically increased. As we witness the havoc wrought by the last war on our economic structure—with the consequences of which we have been struggling for the past decade—one is compelled to wonder what would be the results upon our economy of embarking in another major war, not with the comparatively puny debts of 1914 but with a national debt now approaching \$45,000,000,000.

#### TWO SIDES

Let us be fair and admit that there are two sides to this argument and that there are many sincere and patriotic Americans ranged on each side.

#### COLLECTIVE SECURITY

One point of view emphasizes collective security. The advocates of this viewpoint insist that dictatorships are now abroad ravaging the world. The gangster tactics of certain world rulers, it is urged, are more and more evident, and their objectives are becoming clear. Meanwhile the great democracies of the earth, represented by Great Britain and France, find themselves increasingly pressed on every hand with the prospect of a major conflict with the totalitarian powers in Europe and in Asia.

The possibility is persuasively portrayed that Germany, Italy, and Japan may gang up on France and England and destroy the British Empire and then at their leisure move on America. Accordingly, it is urged that it is much more prudent for America to take a hand in the struggle before it is too late and save Great Britain and France from destruction, at least by furnishing arms and ammunition and other supplies, and, if necessary, by armed intervention on the part of the United States.

#### AN AMERICAN VIEWPOINT

The opponents of collective security argue that the danger of disintegration of the British Empire is greatly exaggerated and that Europe possesses all the forces necessary to curb the totalitarian states. The vast strength of the British Empire, both in men and materials, is pointed out—with almost 50 percent of the resources of the inhabitable globe in the possession of Great Britain and with a navy that dominates the seven seas.

The smaller democracies of Europe are meanwhile in intimate contact with the scene. They remained out of the last war because they did not apparently believe their vital interests to be involved and suffered comparatively little harm. While they individually are of small consequence, they collectively represent a considerable force and also considerable resources. They are far more vitally involved than the United States in the preservation of democracy in Europe and may be depended upon to act when, as, and if they believe democracy is really at stake.

In addition there is Russia with its vast resources and manpower and potentialities of various kinds. There is nothing to indicate that Russia proposes to let Germany, Italy, or Japan become dominant in the world as their ambitions and ideologies clash at a hundred different points, and sooner or later the Russian deluge will let loose. Russia has a variety of vital interests in Europe and in Asia that must inevitably become involved in any major European or Asiatic strife, and Russia may be depended upon to see to it that neither Germany nor Japan become dominant in the world scene.

The British are obviously reluctant to do business with Stalin since he is fully as ruthless a dictator as any ruler in the world. This demonstrates, however, that the problem is not one of ideologies but of the age-old racial and territorial

quarrels of Europe and Asia with which America has no primary concern.

Great Britain would very much prefer to do business with the United States. The only difficulty is that we have no vital interests that are immediately involved since our trade stakes in either Asia or Europe are not worth a month of war nor the life of a single American doughboy.

#### ADEQUATE ARMAMENT

There is a strongly American point of view that desires to see America adequately prepared to protect the American hemisphere north and south against encroachment of any kind and then to bide our time and wait and watch developments across the sea without involving ourselves in entangling alliances or committing ourselves to the course that we shall follow in any circumstances when they arise.

Meanwhile, it will be well for America to give very serious thought to foreign affairs and to the sacrifices that are inevitably involved in any major conflict overseas. Not the last of the sacrifices will be the remnants of our democracy, as America is altogether likely to go totalitarian the day war is declared.

#### MIND OUR BUSINESS

The President apparently has a Messianic complex to make the world safe for what he terms "democracy," although this includes the most ruthless dictatorship the world has ever seen in Soviet Russia. No challenge of his sincerity is involved in pausing to consider before plunging America into the maelstrom of another war.

America may yet be the "lost horizon" where some semblance of our civilization may be preserved.

The historic policy of America laid down by George Washington is to mind our own business. We violated that principle in the last war and are still struggling with the consequences.

Great Britain has grown great and has contributed greatly to the progress of civilization and the stabilization of society by looking strictly after its own particular interests and not permitting purely sentimental or idealistic considerations to determine its course of action in various portions of the globe.

America may profitably study this example and be sure that the vital interests of America are at stake before we become involved in controversies in other hemispheres.

Let America get ready. Then let America be still. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. KUNKEL] such time as he may desire.

Mr. KUNKEL. Mr. Chairman, I intend to vote against the Bloom bill in its present form. In my opinion, section 4 is at least as objectionable as section 3, which the committee has indicated will be deleted from the bill by a committee amendment. There is little use arguing against the Bloom bill, because, thus far, the arguments advanced in its favor have only been directed toward the bill with the first "whereas" clause and section 16—the repeal clause—included and the rest of the bill entirely eliminated. As to a bill in this form, some very eloquent but somewhat questionable arguments have been made. The chief claim of the proponents of the present bill is that it grants the Executive no powers which he does not already possess under the Constitution. Consequently, to pass the bill, except for the above referred to parts, would be a useless gesture. If this argument of the proponents is so, it is certainly ridiculous for Congress to hand out powers it does not possess to a branch of the Government which already possesses them. If this argument is so, why should Congress assume, or attempt to assume, a responsibility which it does not have when, under the Constitution, it lacks the power to control the incidents of this responsibility? Clearly under this argument this bill rests an unwarranted responsibility on the Congress, while the executive branch retains the complete power which it always has had under the Constitution and always will have unless the Constitution is amended.

On the other hand, if this argument of the proponents is not so, then clearly, by the language of the bill, we are grant-

ing extensive powers to the Presidential office. This would be most unfortunate, particularly when we do not know in advance what powers may or may not be necessary and useful under conditions which may or may not materialize in the future.

Whether we hesitate to give or assume to give additional powers to the Presidential office because of doubts as to whether they should be given, or whether we hesitate to transfer those powers because they cast such a tremendous burden and responsibility on the Presidential office, it seems to me that we should vote against this bill.

In conclusion, all I have to say is that no matter what kind of a bill is passed here this afternoon—be it good, bad, or indifferent—it is my hope and prayer that in any event we do not become involved in any foreign wars. We can talk all we want to about what the Congress can do to prevent a war, and what the President can do, and what the Secretary of State can do, but in the last analysis, in my opinion, it is going to depend on the state of mind of the great body of good, sound American citizens. If they do not permit themselves to be swayed by propaganda and hysteria, but continue to view current conditions with their customary good judgment and good sense, this country will not become embroiled in a war. [Applause.]

Mr. FISH. Mr. Chairman, I yield myself the balance of the time remaining on this side.

Mr. Chairman, I am convinced that if this bill is adopted without the arms embargo and a war breaks out in Europe, we will be in that war following our arms traffic and be sending our youth over there within 6 months. I am also convinced that if we get into another world war, we will come out of that war a bankrupt Nation, win or lose. I am further convinced that if we get into another world war, we will lose our own free institutions and come out of that war either a Fascist or a Communist nation. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE of Oregon. Mr. Chairman, as I look back over my record of a little more than 6 years in this House, I can recall but few of my votes on important measures which I would now change, regretting the position I took when the bills were up for final passage. One outstanding exception to the record which appears to me fairly satisfactory is the present neutrality law. I voted for it because it seemed to be a solution and we were fascinated by the word "neutrality." It was in the air. Most of us voted for it. Many times I have been sorry that I did so. If I interpret correctly the story of world affairs since the passage of that neutrality legislation, I must conclude that it has offered great encouragement to the aggressor nations, namely Germany, Italy, and Japan. Indeed, as far as shipment of munitions is concerned, we were neutral in the great conflict in Spain and, as a result, the fires of liberty and freedom which were glowing brightly in that country such a short time ago have been extinguished, and today, if reports are true, thousands of the fine patriotic men and women of Spain are facing the firing squads. Yes, we refused to sell arms to a nation begging to buy them, thus remaining "neutral" while helpless, struggling people went down before foreign conquerors, who used the arms and munitions furnished those aggressor nations—Italy and Germany. During all the time the conflict was going on, Italy and Germany denied that their soldiers were, in any numbers, fighting in Spain or that they were furnishing munitions and airplanes. We now have incontrovertible evidence from their own present boasts that what they then said was not the truth. I cannot imagine that any Member of this House wants to see the reign of Hitler further extended throughout Europe, wants to see Hitler "kultur" imposed upon the world.

We know that in our attempt to be neutral, under the present law, China is being slowly conquered in an undeclared war waged by one of the aggressor nations. Genghis Khan and Tamerlane were never, in their most bloody campaigns, more cruel than is the present conqueror of China.

By allowing Japan to buy in our ports the larger portion of the raw materials which they converted into instruments of destruction, we have aided another ruthless aggressor.

No sane, right-minded person wants war. Not a Member of this House would, under any conditions, vote for war if it could possibly be prevented. But, unfortunately, the decision on war may not be made on this floor nor by the Members of this Congress. If we are again forced into a war it will, in all probability, be because of conditions we are helpless to prevent. The question for us to consider is what legislation will be the most valuable in keeping us out of the coming conflict. I think the great majority of the students today freely admit that a great conflict seems imminent, and not because the democracies of western Europe desire it. They know they must defend their own sources of food supplies, and their own shores. They cannot submit to the surrender of further territory, as they have unfortunately done in Austria and Czechoslovakia. When the next great push comes, engineered by Hitler and the group behind him, resistance must be offered by France and England. Further concessions on their part will be a confession of fatal weakness.

This legislation which we are now considering and will finally enact will in all probability be the law by which we shall be governed when the next great conflict comes, whether it is in the immediate future or removed some years. If we can, from their past conduct, forecast the plans of Hitler and Mussolini, then we must conclude that the conflict is inevitable. I am well aware, as we all are, that such a war would result in annihilation of the tangible evidences of great civilizations. Airplanes coming over by thousands, dropping their bombs on Paris, London, and the industrial centers of western democracies, would leave complete wreckage. Of course, if aggression comes, the European democracies must fight back. They cannot surrender achievements of a thousand years and allow Hitler and Mussolini to divide the world between them, reducing proud people to the position of mere slaves and serfs. They must resist strongly with all the modern resources at their command or face horrible consequences—helpless, absolutely helpless, in this day of machinery and chemicals used for destruction of human beings.

There is little chance of a rise of the common people in a rebellion in Italy or Germany. Modern methods of destruction are so ruthless, instruments of war are so terrible and so controlled by governments, and chemicals in quantity are so essential, there is simply no opportunity for those in opposition to tyrants to rise, throw off the yoke, and establish different forms of government. In the centuries of the past, when our ancestors could go into the forests and fashion bows or stout clubs in preparation for a clash with the best-trained troop of despots, there was a possible chance for an uprising, but there is precious little today, in this day of secret police, concentration camps, purges, and mass executions. So if the reign of the aggressors is to be resisted, that resistance must come when the aggressor nations fix the time by making demands to which the western democracies cannot accede. It is my opinion that time would have arrived before this had it not been for the message of our President addressed to Hitler, causing the war vendors of Germany to stop, listen, and consider. They have worked up such a spirit of war, accumulated such a mass of machinery and bombs, and are kept at such fever heat that the slightest incident may push some group over the danger line and then the conflict will be on.

Is any Member of this House so forgetful of the history of civilization as to think we could preserve the neutrality required under the present law if England and France were begging us to sell them guns and airplanes for their defense? If they offer to pledge the balances that they hold in our banks and the last remnants of their gold, can we refuse to make such sales? Should we resist their pleas?

I am for this bill because I have faith that our President is just as desirous of keeping us out of war as is any Member on this floor. I am for this bill because the Secretary of State, Cordell Hull, has said publicly that he believes the right to sell arms and munitions of war in case of a conflict



would be potent toward peace and not for war. He spent years in this House and in the other body, always honestly in the service of the people, and while I have doubted the wisdom of some of his decisions since he has been Secretary of State, no one doubts his integrity nor his desire to maintain peace and to preserve American institutions.

I am for this bill because it does the very thing public opinion will force us to do should we some day, in the near or distant future, read in the papers that much of London is in ashes and Paris a ruin. The most bitter opponent of this bill could not resist the public indignation which would flame all over our country should this disaster come and this House continue to refuse to send munitions of war to the suffering, bleeding democracies of western Europe. I know many on this floor find much pleasure in bitterly criticizing England and at times she and her statesmen certainly merit the most vehement denunciation. We should not, however, forget that we speak the English language, and that English traditions and English history, with all its mistakes, have been the background from which has come our American institutions. We must acknowledge that our heritage of freedom came largely as a result of their struggles. Sad, indeed, would be the day for America, should Hitler and Mussolini rule supreme and Britannia no longer "rule the waves."

I am for this bill because it is a clear-cut attempt to go just as far back as we can go to the old law of international relations, which is the outgrowth of the customs of the centuries. Time after time, on this floor, I have heard different Members speak bitter words about our entrance into the great World War. I am one who still believes that we went into that war to save civilization from a German peace, and that, while we made tremendous sacrifices of lives and of money and of morale and stability, we did prevent worldwide domination of German militarism in a most terrible form. I believe it would then have been imposed upon the world and that by this time we would have been forced to isolate ourselves from Europe, which would have meant a complete reversal of our economy. Future historians will, I think, give full credit to the heroes of that struggle for saving a civilization which we must now protect by taking a stand through legislation, happily not through warfare.

I do not belong to that class which cries for peace at any price and advocates avoidance of war under any and all conditions. I think one of the worst things that came to America in that trying period of the World War was the sentiment which swept through the land with the expression "We are too proud to fight." It made the German general staff believe that under no condition would we fight. Had England during the last days of July 1914, speaking through Lord Grey, said to the Kaiser: "If you invade France by way of Belgium and make a scrap of paper of that treaty protecting the neutrality of Belgium, and solemnly entered into, then you will meet the full force of the British Empire, for we will be on the side of France," then the Kaiser would never have brought on the World War.

If we pass this neutrality act by a good, strong vote, I believe it will have a deterrent influence on Hitler and Mussolini, as did Roosevelt's letter some weeks ago. If Hitler and Mussolini really know that the factories and farms of America could be used to supply the French and English armies, I believe they will be very reluctant to bring on the conflict. If, on the other hand, this legislation should fail, then the aggressor nations, Germany and Italy and Japan, will believe that our country is so divided there can be no united support for the democracies of the world, and they will be more apt to precipitate the struggle.

I shall vote for the pending bill because I believe it is a war deterrent, because I believe it will do more than any other course we can follow to ward off the continued aggressions of Hitler and Mussolini.

The debate on this neutrality bill is the most interesting and important that has taken place in this House since I have been a Member of it. Many of our keenest and ablest Members have analyzed the situation from every angle, have set forth their views in carefully written and most eloquently

spoken words. Those who have been schooled by committee hearings and intensive study have brought to us statements of their conclusions which afford guidance to those of us who have not had the advantages of such stores of information. An old farmer from the mountains of eastern Oregon cannot hope to compete with brilliant colleagues who have taken part in this discussion. Because I do feel so strongly on this matter I have gladly accepted the opportunity to make a few observations which appear to me to be important. I have, since early youth, been an avid reader of history. I taught it for years with enthusiasm which I strove to impart to my students. The import of its lessons has been the theme of my thoughts during long days of riding in the hills of the cattle country. I am now so stirred by those lessons and memories and by the present occasion that I feel impelled to set forth my views in the hope that some younger Member may be moved to more thoughtful consideration of a point of view resulting from long years of study and contemplation. I believe we must now take a stand dictated by reasoning and based upon the teachings of history and our own experience in international affairs.

Yesterday morning the papers carried the information that the British fleet has, under orders, taken the first of its battle-line positions north of Scotland, just as the fleet did in July 1914. The Premier of France announces that there are 3,000,000 heavily armed men on the borders of France, all prepared to jump at the throat of that much-harrassed nation. Every nation of Europe is either mobilized or semi-mobilized. England has moved up war maneuvers from September to August; the very air is charged and supercharged with rumors of war. English boys who are trained aviators sit in their planes all night long near the English Channel, ready to go into the air at a moment's notice to meet in the great "central blue" the enemy planes of the aggressor nations. Truly the conflict so graphically foretold by Tennyson long years ago in his Locksley Hall seems about to occur.

The choice of whether that catastrophe and dread destruction should come is not up to England, nor will the decision be made by Scandinavian nations. Madly ambitious, war-crazed men are again in control of Germany, Italy, and Japan. I firmly believe that the men and women in the homes of those countries do not want to fight, and that if they had a chance to express themselves freely they would overwhelmingly vote against further encroachment or aggression, but citizens of the aggressor nations are mere pawns moved by others, they are as impotent as the clouds that float above them. It would seem to us observers on this side of the Atlantic that Great Britain and France can retreat no further. It would seem that the time for a stand has come, as it came to General Haig when the British Army fought every day and retreated every night, and he issued his now famous order, "We retreat no further, here is where we win or die." The western democracies have allowed aggressor nations to absorb proud Austria, brave and industrious Czechoslovakia, rugged Albania, and patient, long-suffering Spain. The next unholy demand of Hitler is awaited with dread and anxiety. Action would seem to be the only antidote to the ghastly fear which has enveloped Europe.

Should we some morning in the near future read in our papers that much of London and Paris were in ruins and many of their munition factories destroyed, could we justify our course before the eternal bar of history if we then refused to sell airplanes and munitions of war to those bleeding democracies of western Europe? They would be ready to buy them, to pay for them, and transport them across the ocean at their own risk. Do you think we, in the name of humanity, could refuse to open up our almost unlimited resources to the nations of Europe which are today defending the principles of free government? If any act of this Congress can avert the expected conflict, we have no right to withhold it. If any act of ours will strengthen the hands of democracies, we have no right to withhold it. We still have a lingering hope that all nations will realize the utter futility and tragic waste of war and will ultimately join in a federation of the world.

People of all nations know mistakes were made at the conclusion of the Great War, and that "yesterday this day's madness did prepare," but the great majorities are helpless. You and I are privileged to take a stand—to make a definite move toward peace. Upon us rests a burden and an obligation.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. MOUTON].

Mr. MOUTON. Mr. Chairman, after all the splendid oratorical efforts that have been made by so many of my distinguished colleagues, all with such long years of brilliant service as Members of this body, in analyzing and explaining the provisions of the neutrality bill now under consideration by the Committee of the Whole, House Joint Resolution 306, it is hardly conceivable that I, a comparative newcomer, should presume too greatly upon your time and attention with a lengthy dissertation of the merits of this proposal. I do want, however, to say these few words about my individual sentiments concerning the same.

I believe, and I weigh my words carefully when I say this, that this resolution represents just about the best possible solution, or compromise, if you care to call it such, to this momentous and highly controversial subject which your Committee on Foreign Affairs could bring forth. To our esteemed and lovable acting chairman, SOL BLOOM, belongs the greatest of praise for his diligent and tireless labors on this question. He has given unstintingly of his time and energy over these past few months in presiding over the long and tedious hearings and the many executive sessions held by the committee in working out and perfecting this most patriotic of all legislative undertakings—fabricated solely for the purpose of keeping our great Nation out of war. He has done a masterful job; one of which he can feel justifiably proud. To our very able acting chairman, alone, however, does not the entire credit and praise belong; to the full membership of the committee, majority and minority alike, do I, likewise, pay tribute for their altruism, ability, and unity of purpose.

Neutrality, Mr. Chairman, is, at best, a most difficult subject with which to cope. There are many and varied views as to just how real, genuine neutrality on the part of our country in the event of future foreign wars can best be attained. I may say right now, however, that I am thoroughly in accord with the often repeated statements made by Members on both sides of the aisle, that there is no question but that all are sincere in the belief that their particular brand of neutrality will most effectively accomplish the all-consuming desire to keep the United States out of foreign embroilments. To that end we are all united. We are divided only as to the best means to attain that end. I have a healthy respect and high regard for the motives of each Member of this Congress on that score.

While certain Members, or groups of Members, may entertain views of quite an opposite nature, I believe that your Committee on Foreign Affairs has come to you with a bill that will best insure our being neutral in future foreign conflicts. Briefly summarizing its contents: Section 1 places upon the President the duty of naming the nations involved, in the event he finds that a state of war exists. This, then, to a degree, makes possible the operation of the following sections of the proposal. Section 2 is designed to lessen our chances of becoming involved in foreign conflicts by placing the responsibility for personal safety squarely upon the individual who chooses to travel in ships of belligerent nations. Section 3, I understand, is to be deleted by mutual consent, so I will, therefore, pass over same without comment. Section 4 considers the permitting of commercial short-time obligations of peacetime character in the United States for nations proclaimed to be at war. This is tantamount to a cash transaction in every accepted sense and is designed only as a normal and reasonable aid to those engaged in foreign commercial affairs. Section 4, also proposes to strike another blow at the yoke of foreign entanglements, by following the same cautious line of thought as contained in section 2, except that the theory is applied to materials and

supplies, instead of humans, being transported to proclaimed belligerents. Complete transfer of title to the foreign government or agent or agency concerned, of all articles or materials being shipped to belligerents from our country, is required under this section. Again, it follows, by taking every precaution humanly possible to remove the cause, you will have progressed a long step toward removing the effect. After such a cargo or shipment leaves our shores, it becomes solely and entirely the responsibility of the titleholder and, thereby, precludes the possibilities of the development of a series of circumstances giving rise to an undesirable and unpleasant situation involving the seizure or destruction of American property. This, with certain innovations, is merely a continuation of the "cash-and-carry" feature of the act of May 1, 1937, which feature expired May 1, 1939. Section 5 prohibits the solicitation and collection of funds in our country to aid belligerent governments. Section 7 is designed to prevent the use of American ports as a base of supply for foreign nations proclaimed to be at war. Sections 8 and 10 are designed, respectively, to restrict the use of American ports and territorial waters by submarines and armed merchant vessels of foreign nations, and the continuing of the set-up and functions of the National Munitions Control Board for the administering of the provisions of the resolution and for the licensing of exports and imports of arms, munitions, and implements of war. Section 9, I understand, is to be stricken from the bill by mutual agreement.

Most of the provisions of the resolution now under consideration are for the purpose of continuing in effect similar, or essentially similar, provisions in the present neutrality law, the major differences being the discontinuance of the embargo on arms and the renewal, with minor alterations, of the so-called cash-and-carry feature of the old law, which, as said before, expired on May 1, 1939. After exhaustive hearings on the subject, and after due deliberation, your Committee on Foreign Affairs is of the opinion that these changes and rectifications are warranted and will bring our country closer to the realization of a true status of neutrality should hostilities develop abroad. Nothing has been said by the opposition to the bill that has not already had full and careful consideration by the Committee on Foreign Affairs and I see no logical reasons why the neutrality of the United States, designed along the lines and principles laid down in the pending proposal, should fail to be effective, as well as is humanly possible to contemplate, when placed into practice.

I believe that the bill is worthy of the approval of the Committee of the Whole and I urge that, regardless of political faith or creed, we rally behind it and support it to the very utmost. [Applause.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Chairman, the people of Oklahoma want America to stay out of war. They are certain that the last war was unprofitable to this country, from both a financial as well as a moral standpoint.

Any attempt at neutrality by passing legislation, viewed at its best, has been unsatisfactory. The acts of 1935 and of 1937 have been faulty. Situations are constantly arising that are unpredictable, and we have been finding ourselves hampered by the very laws we have passed in the hope of achieving neutrality.

In my judgment we can rely on the good judgment and the patriotism of President Roosevelt and Secretary Hull, who have recommended this legislation. The traditions and history of our country have established that, regardless of party, our great Presidents were actuated in international affairs with pure motives and with an eye single to the interest of the people of America.

It may well be that it is safe to amend the bill so as to return to the tenets of international law, but failing in that it is the part of wisdom to follow the advice of those charged with the responsibility for foreign affairs, namely, the President and the Secretary of State.



This seems to be a proper time to discuss a subject that is of interest to thousands of Americans—the metaphysical side of the whole question of international relations, and practical means of approaching nearer to the diplomatic efficiency that is useful in national crises as well as such preparation for them as may be made.

Discouragement and pessimism are the devil's weapons. Persevering effort is profitable in this line as in others.

Feudalism, dueling, witchcraft, human slavery have gone by the board. We thought our way out of them. A few of our superstitions, too. It is inconceivable that we may, and inevitable that we must, think our way out of bigotry, hatred, war, and depression. Even the cynics would concede that the effort to do so is worth while—that there is glory even in trying.

The battle plan is not necessarily one of armies, navies, or air forces; mental and moral cooperation for a better world order is the prime requisite. From principle has flowed the world's mental progress, and from principle it will still proceed.

All over the land the cry has gone up for better service. Training for public service. For the Nation and the world. How noble and comprehensive it sounds. How can we apply it with wisdom and patience to the daily needs of people and nations? What practical suggestions offer to breast the opposition to things new and out of the regular channel?

The doctor, the lawyer, and the engineer is expected to undergo a long period of training before he practices his profession. The plumber, the carpenter, the bricklayer is expected to serve an apprenticeship before he is master of his trade. In this age of specialization the craftsman and the professional man, to be respected in his line, must qualify by training and experience. Before he can regularly engage in his occupation he must undergo intensive preparation. Complexity requires such skilled training, and all concede its desirability and its necessity.

But, through some strange and unaccountable quirk of the public mind, such reasoning does not apply to those engaged in public service. All sorts of obstacles stand in the way of the development of the profession of civil servant. The slow and expensive school of hit-and-miss experience has trained (or not trained) too many public officials. We have used the trial-and-error method—trial while one administration has been in office and error of the individual's being swept out later by the spoils system. For instance, local elections often turn on the supposed convictions of the candidates with regard to, say, war debts, the tariff, the League of Nations, prohibition, and other matters unrelated to the proper selection of the elective or appointive officer. Fitness is often forgotten.

The Army has its West Point and the Navy its Annapolis for the training and education of two of the most highly respected and efficient personnels to be found anywhere in the world. It is economic good sense to have similar and comparable training and education for those who administer our domestic affairs and treat the diplomatic issues abroad.

No system of training is found in our governmental scheme of things for the diplomatic and administrative career service comparable to the specialization for force on land and sea, exemplified by West Point and Annapolis. Incredible. But it is not enough to inquire why, but to point out how the lapse may be rectified.

I have proposed a National Academy of Public Affairs to be located at Washington, the nerve center of the Government of the Nation.

West Point and Annapolis are world-wide in their implications and acceptance. The military leaders on either side of our only Civil War were graduates of West Point. In the World War a West Pointer commanded the Army, and Annapolis produced the admirals. The Academy of Public Affairs, had it been established a few generations ago, con-

ceivably would have produced the diplomatic brains for our part in the World War.

By the terms of the bill introduced by me (H. R. 1957) there would be established in Washington, where the Father of his Country visualized a great American university, a national academy of public affairs. Its function would be the education of young Americans in diplomatic and administrative career service—specialized civil servants. The school would be free of charge, coeducational, nonsectarian, and nonpartisan, operated by a board composed of certain Cabinet members; namely, the Secretaries of State, Treasury, Interior, Commerce, Agriculture, and Labor.

The Cabinet members, while politically selected, have almost uniformly in the last half century been appointed by reason of their attainments in various walks of life. Without exception, the Presidents of both political parties have sought to rise above party politics in the selection of their intimate advisers in the Cabinet. So the board of supervisors for the academy would be composed of outstanding American citizens with a broad comprehension of the needs of the Nation. This board would select the faculty, officers, would prescribe the course of study, entrance requirements, and regulate the conduct of the academy. It would also determine whether the school should be a postgraduate institution, and fix the term required for graduation.

The general idea is to create an institution for metaphysical purposes comparable in plan, form, and intentment to Annapolis and West Point, which are so high in public esteem in America and the world. Young America clamors for the honor and recognition of appointments to these two academies. Young America's parents are proud to have the honor conferred upon their sons. Visualize expectant American youth eager to enter the national academy of public affairs, an institution not of force but of mental defense.

The courses of study would, of course, be developed as the institution grew in public opinion and experience. It would be logical to anticipate that the curriculum would include language, history, and government. Economic history, sociology, international law, and structure and functions of government, both domestic and foreign, would naturally have a place. Political history, the study of political parties, statistics, the principles of public administration, and finance, also social and economic planning, government accounting, public-welfare administration, diplomatic study of public opinion, and world trends of civilization, modern, medieval, and ancient, would properly come within the range of study prescribed for students at the academy.

The selection of the students by the President, Senators, and Congressmen is provided. It cannot properly be said there is any political taint in that system. It has been in vogue for generations in the selection of candidates to West Point and Annapolis, and has been uniformly successful, producing a high order of scholarship. It guarantees a broad cross-section of the whole population of the States better than any other plan would or could. This tested means of selection has general public approval—it would not seem wise to deviate from such a plan. It has a historic background of national acceptance.

Why spend the public money in this manner? Why are not the endowed colleges and State universities doing or capable of doing the same training contemplated by the academy? There is a quick answer—we have many military academies in America—yet none of them approach the standing of West Point. The R. O. T. C. units in the college can never hope to compete with the Military Academy. West Point and Annapolis represent the Government. National and world opinion would favorably receive an official institution and its graduates; it has been slow to accept the private or State institution and its product for the particular capacity under discussion. Training for the Government should be training by the Government. The civil servant who would graduate from the academy would re-

ceive recognition the world over, because of the very fact that his training came under the direction of the Nation itself. In 150 years of national life, no college, no matter how popular it may have become along other lines, has achieved any considerable or outstanding reputation for the training of the civil servant.

The location of an academy of public affairs in Washington would assure the student ample contact with the realities of government and administration, and prevent overemphasis of the theoretic and academic. It would open up a large and highly important field to able young people. Thousands would dedicate their lives to the ideals which the institution would represent. Changing social conditions require new means of attacking new problems; changing world conditions justify another look in the direction for the public service. From the broad cross section of American life, from which it would be selected, the student body would represent imagination and foresight coupled with native ability, broad training and discipline in judgment, initiative, decision, foresight, and expression which would give the academy and its graduates a high place in thoughtful public opinion in America and in the world.

It should be one more nail in the coffin of the spoils system. The realist as well as the idealist should approve. Each administration has its "brain trusters" whose work is crippled by the political shafts aimed at them. Conceivably, we might by this movement, amongst others, develop an administrative personnel that would obviate the need to draft dollar-a-year men or "brain trusters" when serious emergencies arise.

Our Diplomatic Service is remarkably lacking in career-service personnel. To say the least, graduates of the academy of public affairs would have special training to fit them for the Diplomatic Service, and from that should grow outstanding examples of trained and poised American diplomacy. It has been said that America never lost a war nor won a conference. The day must come when she must attain success in the field of diplomacy as she has in war and in business.

Graduates of the institution would not necessarily remain in the service of the Federal Government. All graduates of the Naval and Military Academies do not. Many of them would likely enlist in the rank of municipal and State governmental service. Their training would make them desirable. There are foreign fields to which they might attain. We might even elect some of them to Congress or to governorships.

Fifteen hundred scholars run the British Government. The British civil service, impervious to politics and by law forbidden to participate therein, has attained such a high standing that it is an insult to assert its integrity. Britain has arrived at this stage by slow and painful progress when we think of the parliamentary corruption of, say, the time of the Pitts. America will, of course, come into her own in that regard, but the outstanding reputation of the academy would bring us to that stage decades sooner than otherwise, because in a few years it would be so entrenched in the hearts and minds of the American people that its atmosphere and its graduates would be accepted not only in America but the world over. It would soon couple the practical with the sentimental.

We are evidently undergoing a renaissance of political thought in America. One achievement of this renaissance might conceivably be the establishment of the national academy of public affairs. The end sought is not the education of human robots, but leadership in the inevitable new world order.

Mr. BLOOM. Mr. Chairman, I yield the balance of the time remaining on this side to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, for 2 days we have debated this bill, and the last statement made by

the ranking minority Member upon the committee is the keynote of every word, practically, that has been said against it. His statement was that if the arms embargo was repealed it would involve us in a foreign war. I have heard debate for 2 days upon that question and no one, not even the distinguished gentleman who made that statement, has pointed out one single reason why that statement is true. The House is not going to accept the conclusions of those who oppose this bill and say that it will involve us in war, when no one has pointed out in the slightest particular how the repeal of the arms embargo will get us into war, or tend to get us into war.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I do not have time to yield now, which I regret.

What I said in opening the debate upon this question was that it was the delivery and transportation of arms and not their sale that was calculated to get us into war. If there exists some reason why repeal of the arms embargo will get us into war, someone of those who spoke would have discovered it.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I regret I cannot yield. I have only 5 minutes.

They talked about the Netherlands, and they talked about the Scandinavian countries and their not being involved in war. Let me call your attention to the fact that the Scandinavian countries were not separated from the Central Powers by an ocean, like the United States. They did not have to transport arms and munitions or goods overseas.

That is where our trouble arose. It is because of questions that arise with reference to the rights of our citizens upon the ocean in their own travels and in the shipment of their goods that we must remove some of the causes that might bring about these irritations. I say that if we had had the law we now have when the World War came on our chances of becoming involved would have been far less remote. What brought us into the World War? It was the shipment of our goods, it was the destruction of the lives of our people upon the high seas, it was the credit that we granted to foreign nations. They are what brought us into the war. It was not the sale of arms or the sale of goods.

I shall vote against any amendment to go back to international law and repeal the entire Neutrality Act because I believe we had international law in 1917 and it did not keep us out of war. What we are trying to do by this bill now is to remove the causes that got us into war before.

To those who believe this bill is not the right kind of a bill, let me cite in conclusion an interview I had this morning with Secretary Hull. Let me call your attention to the fact that this bill was drafted on the recommendations of the Secretary of State after he had conferred with Members of both bodies, and it embodies what he believes is the very best means to keep us out of war.

I desire to say in conclusion, Mr. Chairman, that in order that there may be no misunderstanding in this House, I can assure you that Secretary Hull today stands by the position taken in his letter of May 27, 1939, which is in the hearings, and upon which this bill was based. The legislative suggestions outlined in that letter are incorporated substantially in the joint resolution now before us. The suggestions outlined in that letter and contained in this bill Secretary Hull believes to be the most effective legislative contribution at this time toward keeping this country out of war if war occurs.

I say this to the Members of the House: If we want to get ready to prevent our involvement in war, let us stand by this resolution. Let us enact now, before war breaks, these provisions which I believe will go a long way toward preventing our involvement.



The gentleman from Illinois talked about war hysteria and about excitement. Of course, it will come. Before it comes, let us set our house in order. Let us say to our citizens, "We are not going to be responsible for the shipment of your goods." Let us say to them, "We are not responsible for your transportation upon the vessels of belligerents." Let us say to Europe, "We are not going to finance another war. We are not going to permit you to send your bonds here. We are not going to lend you money. You must pay cash for what you get." Let us say to our citizens, "In order to be neutral and prevent hysteria, nobody on either side can come over here and take up a collection, which will create a feeling of sentiment or loyalty to one side or the other." America will stand for peace, and that is what this bill is intended for. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

*Resolved, etc.,*

PROCLAMATION OF A STATE OF WAR BETWEEN FOREIGN STATES

SECTION 1. (a) That whenever the President shall find that there exists a state of war between foreign states, and that such war endangers the lives of citizens of the United States and threatens the peace of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

(b) Whenever the conditions which have caused the President to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same.

Mr. TINKHAM (interrupting the reading of sec. 1). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TINKHAM. Mr. Chairman, the Clerk is just beginning to read the bill. Is not this the proper time to offer a substitute?

The CHAIRMAN. The first section of the bill must be read before any amendment is in order.

The Clerk resumed and concluded the reading of section 1.

The Clerk read the following committee amendment:

Committee amendment: Strike out all of lines 5 and 6 on page 2 and insert: "and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States."

Mr. BLOOM. Mr. Chairman, I move that the committee amendment be adopted.

Mr. FISH. Mr. Chairman, I seek recognition on the committee amendment.

Mr. Chairman, I do not believe this amendment is very important and, as far as I am concerned, I do not propose to fight it. It does give additional power to the President of the United States, which most of us do not like to do. There are far more important amendments coming up upon which I want to take part and therefore I am not going to engage in any fight on this amendment, but I think it ought to be clearly defined just what it does.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. BLOOM. Is it not a fact that this committee amendment was suggested by one of the Republican members of the committee and adopted unanimously?

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. VORYS of Ohio. This amendment was suggested by myself as something better than the atrocious language for which it is substituted. Under the original bill we had to find that the war endangered the lives of citizens and threatened the peace of the United States. Therefore the original bill would have required the finding of an unfriendly act on behalf of other nations before a proclamation could be issued. I, therefore, made this suggestion which I believe my esteemed

and able colleague the gentleman from Texas [Mr. LUTHER A. JOHNSON] offered as an amendment.

Mr. BLOOM. It was the gentleman's amendment, and it was adopted unanimously by the committee.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. CASE of South Dakota. I would like to call the attention of the gentleman to the fact that when a resolution of inquiry was introduced by myself in the Seventy-fifth Congress, the Secretary of State in replying to the question of whether or not a state of war existed in China, in his reply as given in the CONGRESSIONAL RECORD of December 6, 1937, said:

With regard to the seventh question, neither the Chinese Government nor the Japanese Government has declared war on the other. The President of the United States has not found "that there exists a state of war."

Further:

With regard to the eighth question, the entering into force of the restrictive provisions of the Neutrality Act of May 1, 1937, is left to and is dependent upon decision of the President by a finding "that there exists a state of war."

The language that is suggested by the committee amendment, I agree, is preferable to the original language in the bill, but it seems to me that it adds a further condition that will provide an escape for the President if he does not want to issue the proclamation. If this language were stricken out entirely, then the President would be bound to issue a proclamation if he found that a state of war existed, but this additional language, whether you use the original language of the bill or the language of the amendment, gives him a further means of postponing a proclamation, because he may even find a state of war to exist, but unless in his opinion, in some way it is necessary to promote the security or preserve the peace of the United States or protect the lives of citizens of the United States, he need not make the proclamation.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment is contained in the portion of section 1 which is in italics and is in the identical language as the provision of section 2 which expired on May 1, and which in committee the gentleman from Ohio [Mr. VORYS] and myself, as well as other members of the committee, thought an improvement over the language of the bill as written.

The reason for the amendment, Mr. Chairman, I may say, is this: If a war exists between two states, regardless of the size of the states or the magnitude of the war operations or the effect of such war upon the United States and its citizens, it would be foolish for the President to find a state of war to exist when it is in such a remote place that we could not possibly become involved. So the amendment simply provides that when a state of war exists and it is necessary to promote the security or preserve the peace of the United States or to protect the lives of the citizens of the United States, then the provision shall be invoked.

As I have said, the provision follows the language of section 2 of the old law which expired, and therefore I think the amendment ought to be adopted.

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. If the language now contained in lines 7 and 8, as proposed by the committee, is adopted, would it later be in order to strike that language while striking other language in the paragraph?

The CHAIRMAN. Does the gentleman mean an amendment to strike the entire paragraph or section?

Mr. HINSHAW. No; I had in mind certain other language. For instance, I want to move that in lines 3 and 4

the words "the President shall find that" and, in lines 7 and 8, the language that is now in italics be stricken. Is this the proper time to offer an amendment to the committee amendment to effect that, or can I wait until a later time?

The CHAIRMAN. The Chair thinks the gentleman's remedy would be, as he seems to have in mind, to vote down the committee amendment and then offer his amendment.

Mr. TINKHAM. Mr. Chairman, I seek recognition on this amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. TINKHAM. Mr. Chairman, so that the Committee may understand the import of this section, let me read a memorandum prepared by the committee and printed in the original bill. The memorandum says:

Section 1 differs from the corresponding section in the Neutrality Act of May 1, 1937, in that, first,

There is no provision for an arms embargo.

Second, there is no provision for the application of this joint resolution to civil strife.

Third, this joint resolution does not go into effect automatically when the President finds the existence of a state of war between foreign states. He must also find that such war endangers the lives of citizens of the United States and threatens the peace of the United States.

Let me call to the attention of the Committee that these changes give to the President of the United States arbitrary power to intervene in any war he chooses; in effect, to pick the aggressor.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Texas.

Mr. LUTHER A. JOHNSON. Was there any opposition to this amendment in the committee? Was it not worked by Republican and Democratic Members alike and unanimously adopted?

Mr. TINKHAM. It was not unanimously adopted. I for one saw immediately that it meant intervention by the President of the United States in the wars of the world, and I opposed it.

Mr. BLOOM. The gentleman did not object.

Mr. ALLEN of Pennsylvania. Will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Pennsylvania.

Mr. ALLEN of Pennsylvania. Did the gentleman vote against this amendment in the committee?

Mr. TINKHAM. Certainly. I opposed it.

Mr. BLOOM. No.

Mr. ALLEN of Pennsylvania. I think the RECORD shows that the gentleman did not vote against it.

Mr. TINKHAM. I contended that this meant intervention, and opposed it.

Mr. CORBETT. Will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Pennsylvania.

Mr. CORBETT. I would like to make a remark at this time that we considered this bill with such amazing rapidity in the committee that I, for one, do not remember whether we supported this language or not, but regardless of whether we did or not, the Members on the majority side are apparently changing their minds on neutrality legislation, and even if we did support this increased power then, why do we not have the right to recognize that it is an unwholesome increase of power, and now oppose it?

Mr. BLOOM. Will the gentleman yield?

Mr. TINKHAM. I will if you will give me some more time. I shall be glad to answer any question, but I shall ask for more time.

Mr. BLOOM. Is it not a fact that we gave to every member of the committee all the time necessary on these amendments and we considered every amendment suggested by Republicans as well as Democrats? Is that not the fact?

Mr. CORBETT. May I answer that?

Mr. TINKHAM. Let me answer it, please. I have sat on committees in this House for 25 years. Plenty of time was given to this bill, a great deal of time, and properly so, because this means war or peace for us, in my opinion, but when it came to acting on the bill, the briefest time was given. Parliamentary tactics were invoked, and I, for one, was cut off several times when I wanted to make a suggestion or argument.

Mr. BLOOM. I am sorry the gentleman feels that way, but let me say there were 14 meetings, 47 witnesses called, and 13 meetings in executive session. All of those executive sessions were for the consideration of this bill, and I do not believe that any member of the committee outside of the gentleman from Massachusetts [Mr. TINKHAM] will say that they were not given an opportunity to debate and to offer amendments, and the amendments were considered by the chairman.

Mr. CORBETT. Include me with the gentleman from Massachusetts [Mr. TINKHAM] in that group.

Mr. TINKHAM. The chairman of the committee, who is adept at the manipulation of language and facts [laughter], is correct in saying that there were a multiplicity of hearings. I agree to that. I think they were very proper, but when it came to the consideration of the bill, section by section, the bill was forced through as rapidly as possible, and I stand by that assertion.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FISH. Will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from New York.

Mr. FISH. To substantiate what the gentleman has to say, as one who has served for almost 20 years on that committee, for the first time in all that time the 5-minute rule was invoked by the Committee on Foreign Affairs in the consideration of this bill.

Mr. TINKHAM. The honorable Representative from New York is absolutely correct. The text of this bill was forced through and every technical objection was raised to its full consideration. That should be known to this House.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Pennsylvania.

Mr. CORBETT. I would like to say in that connection that as far as I can find in the reports of the hearings of our committee, there is not a single word of hearings specifically on this bill; that there was not one witness who appeared before the committee on this bill.

It is true that we went through the form of a hearing on other neutrality proposals, but I can recall that even the suggestion to return to a section once passed over was objected to. I also had the experience, in the consideration of an amendment which I offered, to be allowed not even sufficient time which would have permitted the reading of a rather long amendment.

Mr. TINKHAM. That is absolutely correct as I remember the events as they occurred.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman recalls the afternoon, or the morning when an effort was made by the chairman of the committee and other Members to jam the bill through by 5:15 in the evening, knowing that many of the Republicans could not be there, and that that was



on the eve of the visit of the King and Queen of England to this country. [Laughter.]

Mr. TINKHAM. I remember that. I charged, and I charged publicly, that the chairman of this committee desired to don knee breeches [laughter], go to the Canadian border, and on bended knees, present this bill on a silver platter to the King and Queen of England who were arriving in the United States the next day. [Laughter and applause.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Pennsylvania.

Mr. ALLEN of Pennsylvania. I am sure the gentleman does not wish to imply to this House that the hearings were not fair, and honorable, and thoroughgoing in every respect. When the committee members learned that the Republican Members had social engagements we voted to adjourn out of deference to them.

Mr. FISH. But none of those Republicans were invited.

Mr. ALLEN of Pennsylvania. That was not the morning of the garden party. [Laughter.] They wanted to leave to take care of other engagements.

Mr. TINKHAM. I reiterate the statement that I consider, after 25 years' experience in this House and on its committees, that the text of this bill was forced through. Every technical rule of parliamentary procedure that could be used was used so that there could not be full and complete discussion.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Massachusetts.

Mrs. ROGERS of Massachusetts. Does the gentleman recall that in January I suggested that the Secretary of State be called to testify before us, or if he could not come that some representative be sent to speak for him; and it was only about a month ago that Judge Moore, of the State Department, came to discuss this extremely important matter with us, and that other resolutions were passed in the committee?

Mr. BLOOM. Mr. Chairman, I make the point of order that none of this discussion is pertinent to the amendment that is before the Committee.

Mrs. ROGERS of Massachusetts. It is very pertinent to the pending amendment. We all want satisfactory legislation. I think it is very pertinent to the amendment.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. LESINSKI. Mr. Chairman, I object.

Mr. CASE of South Dakota. Mr. Chairman, I offer a substitute to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota as a substitute for the committee amendment: On page 2, strike out lines 5 and 6.

The CHAIRMAN. The Chair would call the gentleman's attention to the fact that this is not a substitute for the committee amendment.

Mr. CASE of South Dakota. Mr. Chairman, if I may be heard, this amendment is offered in lieu of the committee amendment and strikes out lines 5 and 6.

The CHAIRMAN. The Chair reads the following from the rules of the House:

To a motion to strike certain words and insert others, a simple motion to strike out the words may not be offered as a substitute.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Dakota is recognized for 5 minutes.

Mr. CASE of South Dakota. Mr. Chairman, the purpose of the amendment I sought to offer was to strike out lines 5 and 6, and drop the committee amendment. Before speaking to that, however, I want to refer to the incident that has just happened on the floor and to say that I think the ability of this House to enjoy the humor and good feeling of the situation such as that is the best guaranty, if it can be preserved, that we can write legislation in this House. [Applause.] During the consideration of one of the important measures in a previous session of Congress, it happened that my office was visited by a Russian exile, a woman who wanted a pass to the gallery. She said to me as I gave it to her: "Just think. I am going to see the most important thing in the world." I did not catch her meaning and asked her what it was. She said, "I am going to have an opportunity to see the last great deliberative assembly of the world actually speak and discuss legislation where men can speak their minds."

I was impressed by the fact that the acting chairman of the committee the other day invited amendments from the minority side as well as from the majority side; and I have hoped that in the amendments that may be offered during the deliberation of this resolution under the 5-minute rule that amendments from either side of the House may be offered and may receive full and open consideration, for the most dangerous situation that could exist in the contemplation of this legislation would be a spirit of partisanship. I believe that the men on my right are just as good patriots as the men on my left.

I know if a war should come to this country, the men on the left and the men on the right will be found fighting shoulder to shoulder for the welfare and defense of the United States. [Applause.]

The fact that we enjoy the good feeling that has existed during the previous speech augurs well for the consideration of the pending bill. If we can preserve our consideration upon a plane which recognizes good spirit and good intent on both sides of the aisle, this bill will be properly considered. When we come to deliberate and discuss a measure such as this, no one who has been elected to the House of Representatives should be accused of small or petty motives. It seems to me that good faith ought to be extended to every one and it is in that spirit that I sought to offer an amendment which would make a proclamation dependent only upon the finding that a state of war existed. We have already seen even that requirement avoided in China. The President has not found a war to exist there. We should not authorize any more excuses for avoiding a proclamation such as might be contemplated under this or any neutrality legislation. The gentleman from Texas [Mr. LUTHER A. JOHNSON], in commenting upon my earlier remarks with respect to the justification for the committee amendment, said he thought it was not necessary to have a proclamation if a war should occur in some far-off part of the world that did not directly concern us. If that be true, then, what possible danger can there be in having the proclamations that are contemplated by this resolution? If they do not concern us, then there is no danger in having a proclamation. The proclamation will only be effective if and when some citizen of the United States seeks to travel on a belligerent vessel or seeks to sell some of the things prohibited or do something else that may be prohibited under a proclamation.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. In reply to the question of the gentleman as to what harm may be done under certain circumstances, the gentleman realizes that when the President exercises this authority, he immediately sets in motion the machinery and the various provisions of the bill. Certain things have to be done. What is the necessity for starting all of this machinery in motion and having all of these things done if we are not interested or may not be involved?

Mr. CASE of South Dakota. If the proclamation is issued and becomes effective in a single instance, that one instance might be the justification for having made the proclamation. It might avoid our involvement in war. If the President cannot find and has not yet found that a state of war exists in the Orient, then I am very much opposed to authorizing any additional excuses for avoiding a neutrality proclamation. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLOOM. What becomes of the amendment which the gentleman offered?

The CHAIRMAN. The Chair ruled it was out of order, and therefore it is withdrawn.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in connection with the pending committee amendment, I am rising in opposition to it and to announce that if that amendment is voted down I shall offer an amendment to strike out the words in line 3, "The President shall find that", and to strike out lines 5 and 6. This would make section 1 (a), a provision mandatory upon the President. It would then read as follows:

That whenever there exists a state of war between foreign states the President shall issue a proclamation naming the states involved—

And so forth. If you will vote down the committee amendment and consider and adopt the amendment which I shall offer, we will then make this a mandatory provision instead of a permissive one. It may be said by some that discretion should lie in the President to determine what shall be a state of war and when it shall exist. I would like to tell a brief story about a certain building inspector of my acquaintance who was informed that certain buildings built prior to the enactment of a building code were not in conformity with that code, and that consequently these buildings should be repaired, changed, modified, or altered. The building inspector said, while he would like to do that, he really did not know anything about it, "and I do not want to know anything about it." That is the idea which is embodied in the present language. I cannot say whether the President wants to find out whether there is a war in China today or not, but certainly if it states in the act whenever there exists a state of war between foreign states it shall be mandatory upon the President to so declare, then the section will be in good order.

Mr. BLOOM. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the section referred to provides that whenever the President shall find that a state of war exists and that the lives of citizens of our country or the safety of our country is at stake, he shall issue this proclamation. If this section is changed to read the way it has been suggested when a war exists, we will say, between Italy and Albania, the President would automatically have to issue a proclamation, although we would not be altogether concerned with that war because the lives of the citizens of this country are not in danger.

Mr. HINSHAW. Will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from California.

Mr. HINSHAW. Is there any reason why we should not recognize all wars, whether they be large or small?

Mr. BLOOM. That is a matter of opinion. May I say that the Committee may feel that is the way to do it. You may just want to keep on tying the hands of the administration and of the President when a state of war exists, between, we will say, Hungary and Czechoslovakia, or between some other small countries. You may want to make it so that he should automatically issue a proclamation. However, in my opinion, and in the opinion of the administration, that would be a rather severe way of doing it.

Mr. HINSHAW. Would it not be well for us to treat fairly with all nations concerned?

Mr. BLOOM. You are fair to all nations. We are not concerned in other countries' troubles. We are trying to keep the United States out of war. The trouble has been in most of these arguments with the question of what the United States is going to do when it does get into a war.

What we are trying to do is keep the United States out of war, and no one can deny that if he will read and understand this bill, and there is no politics in what I say.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. It seems to me it begs the question to say we are not interested if there is a war between Albania and some other country. What possible harm is there in having a proclamation issued? It would be effective only as to relations with those particular belligerents.

Mr. BLOOM. Oh, no. For example, war might occur between two small states in the interior of Europe, which could not possibly affect the peace and safety of the United States in the slightest degree, yet the President would be under the necessity under this law of issuing a proclamation—

Mr. CASE of South Dakota. Yes, but the proclamation would be effective only as to relations with those particular belligerents.

Mr. BLOOM. Yet the President would be under the necessity under this law of issuing a proclamation and putting into force vast machinery and restrictions with varying penalty provisions which would circumscribe the rights of American citizens and otherwise disorganize and complicate our economic system, all for no very good or sufficient reason.

Mr. CASE of South Dakota. Yes, but if one of those American citizens happened to get into that territory and do some act that was proscribed by the proclamation, why should we not have the proclamation in order to prevent involvement?

Mr. BLOOM. I do not agree with the gentleman there. If that is taken out, as far as I am concerned it would not make a particle of difference, but I see the danger if you do take it out. I see that it is going to handicap this Government. It is going to make the President issue a proclamation at any time any kind of a war exists in any part of the world.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Is it not the present law that if there is a declared war the President must take action?

Mr. BLOOM. No; if it does not endanger the lives of our citizens and does not endanger the peace of our country it is not necessary under this provision to issue the proclamation.

Mr. KUNKEL. I mean under the present law.

[Here the gavel fell.]

Mr. MARTIN of Colorado rose.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes.

Mr. KEEFE. Reserving the right to object, Mr. Chairman, I should like time enough to ask two or three questions.

Mrs. ROGERS of Massachusetts. Will the gentleman extend that time another 5 minutes?

Mr. FISH. The gentlewoman from Illinois would like to be heard, and I join in that request.

Mr. HOOK. I should like to have 5 minutes on this amendment.

Mr. BLOOM. Mr. Chairman, I modify my request and ask unanimous consent that all debate on the pending amendment close in 20 minutes.



The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. MARTIN] is recognized for 5 minutes.

Mr. MARTIN of Colorado. Mr. Chairman, something has just occurred here on the floor which ought to raise a question in the mind of any thinking man as to the wisdom of enacting a law that will put the President of the United States and the United States in a neutrality straight jacket. The pending bill carries a proposed amendment in section 1 which, it has been disclosed in debate, was placed there unanimously by the Committee on Foreign Affairs and was originally suggested by a minority member of the committee. It now transpires in the debate that some of the minority members have changed their minds about the wisdom and desirability of their own amendment, which we are told was given much greater deliberation and consideration in the committee than can possibly be given it here in the House.

Mr. CORBETT. Mr. Chairman, will the gentleman yield? The gentleman is referring to my statement.

Mr. MARTIN of Colorado. Not just now.

In the course of this debate and since this amendment was adopted they have changed their minds. In 20 minutes we are going to have to make a guess on this amendment. That is what we are going to do. We are not going to deliver any informed judgment on this apparently important amendment. We are going to make a guess on it. That is all our vote will be, a guess. Suppose we guess wrong. We only have time to change our minds between now and the roll call. Suppose after the roll is called on the bill we find something that we think was a mistake and on which we want to change our minds. Suppose after the bill gets to the White House and is signed by the President we find that we have made mistakes, that we have done things on which we would like to change our minds. I want to say to you that after this bill gets to the White House, or any neutrality bill gets to the White House and gets the signature of the President, there are going to develop things on which, if Congress had the chance, it would like to change its mind.

What we are doing right now is changing our minds on the last Neutrality Act. When we passed that Neutrality Act we changed our minds on a prior neutrality act. That is all we have been doing here in Congress for the last 5 years, changing our minds on neutrality acts. We have passed four of them and they are all conceded to be unworkable or unsatisfactory. Now we are undertaking the fifth. Therefore, I believe we would be wise if instead of passing any neutrality bill we repealed all neutrality acts and left these matters where the founding fathers originally placed them and where the Supreme Court of the United States says they belong and from where, the Supreme Court says, they cannot be taken; that is, in the executive branch of the Federal Government.

The major impression I have received in 2 days of very able debate on this bill, a debate which reflects credit on the House, is the utter folly and futility of Congress attempting to lay down rules to govern the unforeseen and unpredictable events and conditions of the future. [Applause.]

[Here the gavel fell.]

Miss SUMNER of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this bill is the answer to letters we have received pleading for a real neutrality law.

We have now had time to study the implications of the hearings, the argument and the bill itself. Whether or not you have been in Congress long enough to know the ropes you will perceive that this bill, because of its delegation of authority, is a rope which may strangle any further efforts of the Congress to preserve peace. Even though the President might use his power inadvertently, unintentionally,

Section 4d has the same effect as the cash-and-carry provisions of former law. It will permit ships loaded with war supplies to leave our shores, and be bombed by enemy submarines 3 miles from our coast.

The provisions relating to financial regulations on page 4 are so ambiguous that all sorts of dangerous schemes are made legal.

The law gives notice that the Congress will back the Executive in everything he does or says under its ambiguous provisions. There are all sorts of things short of war which he can do under these ill-defined powers which a dictator might feel to be unfriendly if he happened to feel that the President is unfriendly. If, for instance, the dictator should read in the newspapers the same statement which you and I read in which, as I remember, the President was quoted as saying that certain dictators did not "understand anything short of force" used against them, what do you think such a dictator would do? Immediately on passage of this law he would use every means in his power to turn the world against us, to stir up revolt within our country. Not against England, because the head of the English Government can be turned out the moment there is a vote of lack of confidence in Parliament, but against us where the President, to whom you are delegating these ill-defined powers, has a fixed term.

I, for one, think that it is possible to write a law which will be a life line toward safety for this and other nations. This bill can be recommitted for further study. It can be rewritten so as to provide that if and when the President finds a state of war existing likely to involve the peace of America he must call back the Congress if in vacation, he must recommend regulations, which shall become the law only with the advice and consent of both Houses of Congress.

In these modern days of newspaper and radio, the welfare of our people is not safe in the hands of any one man. It is fairly safe in the hands of this House of Representatives—an unpredictable body, but a body before which every plea of justice of our citizens or the citizens of other nations has a chance to be heard.

Those who contend that the Congress has not the power under our Constitution to arrogate to themselves any power, have forgotten the most powerful weapon which the authors of the Constitution placed therein. That weapon is the power to originate money bills and pass them over the President's veto. Those powers enable us to pry from the Executive every single privilege that he has today.

The power to appropriate money was the power with which the British people, through their representatives in Parliament, wrested away every power from the King and finally reduced him to a master of ceremonies. When the founding fathers wrote it into our Constitution they must have contemplated that we would use it when needed for the welfare of our people.

Today when the White House endeavors to control your votes as Representatives, by promising to approve or threatening to withhold projects for your district, they are using a power which you delegated to the Executive very recently. It is an abuse of that power. It robs you of your right and duty to vote your convictions.

The time has come that all such dangerous powers, which may be used either intentionally or inadvertently for the destruction of our people, shall be given back to the people and shall reside in their Representatives.

Thus, in the future, as in the past, we may press on to a higher stage of civilization, leading, not forcing, the world to democracy and peace by setting them a successful example. [Applause.]

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on May 28 of this year I had the privilege of an invitation to appear and did appear before the Allied Veterans of Kings County, in the State of New York, at the Academy of Music in the city of Brooklyn, to talk on the

subject of neutrality. This organization represented the American Legion, Veterans of Foreign Wars, Spanish War Veterans, and the G. A. R. It was long before this bill was brought to the floor of this House. On that night I said that neutrality cannot be legislated; that neutrality is a question of policy, a matter of a state of mind that must be brought about through proper diplomatic relations, and a program of propaganda analysis to stop war mongering. I made the statement on that night that the issue is whether or not we will again lend ourselves to a program which will lead again to sending our boys overseas to fight and die on foreign soil. Many other statements were made that night on the subject. I have heard them reiterated on this floor for the last several days.

I have heard the arguments pro and con. I believe that every man and woman who rose on the floor of this House was sincere in his or her convictions, which makes my conviction firmer that you cannot legislate neutrality.

I had occasion—pardon me for the reference again—to speak in the great State of New York last Saturday at the celebration of Finland Day at the world's fair as their guest speaker, and at that time I said, "We hear a cry for neutrality; neutrality is a state of mind; it cannot be legislated, but can be brought about only through the practice of Christian principles and friendship such as that enjoyed between the people of nations as friendly as the nation of Finland." We cannot go on throwing in the face of dictators or in the face of the people of other nations the fact that we are going to enter into their troubles and still remain neutral. We must mind our own business and take care of our own domestic and foreign problems.

When we say that the President shall have the right to declare that a state of war exists in some other nation, we are saying to those nations things and doing things that those nations will not do themselves. They will not declare war, but you want the United States to say to those nations, "You are at war and we are going to declare war for you."

Is that the kind of neutrality program you expect to enact here? I hope not. There is only one thing, in my opinion, to do, and that is to repeal all so-called neutrality legislation which is in fact unneutral and return to the policy this Nation has followed for 150 years until we meddled with it, and leave to the President the authority which is rightfully his by authority of the Constitution, which was given to him when this Nation was established by our founding fathers.

Let us forget the idea of fighting one another. Let us try to arrive at a solution of this problem coolly and collectively as our founding fathers did. When we have done that and when we have placed the responsibility where it belongs, this body will have done its duty. If we do anything else, we will have committed an unneutral, and not a neutral, act. [Applause.]

Let me say to you that I have faith in the President of the United States and the Secretary of State—not because the President happens to be a Democrat. I have faith in any President that the people of these United States in their wisdom will elect. I believe that as long as he holds that high and exalted position the responsibility should be his, and I believe the people of this Nation want that responsibility placed there. [Applause.] The whole issue before us is whether we will again enter a world conflict with all its horrors and heartaches. I for one will, I hope, never be a party to any action that will cause any of our boys to shed their blood on foreign soils.

Let me close with this thought: We cannot have neutrality unless we approach the problem with a spirit of Christianity. Unless the peoples of the earth place their trust in God and treat their fellow beings as our Creator intended that we should, there can be no neutrality. We must provide for a course in propaganda analysis in every educational institution in America, so that we will not be swayed by vicious propaganda, which is the thing that drags us into all wars.

Build up the resistance of the people to this war propaganda, and neutrality will be a reality.

Mr. KEEFE. Mr. Chairman, I would like to address myself for just a moment to the pending amendment, without any emotional appeal to the membership of this House. The gentleman who is in charge of this bill stated to the House a few moments ago in justification of this amendment that it was inserted as a protection against the necessity and requirement of the President issuing a proclamation in a case where a war might break out in certain nations remote from our own interest. I think that was the statement which was made in justification of the amendment. If I am wrong in that, will the gentleman correct me?

Mr. BLOOM. If I may be permitted to say, I said that where the lives of the citizens of the United States or the safety of our country is at stake, then the President could issue a proclamation. The gentleman had not finished my statement. That was the whole thing. If you will kindly read the statement, you will find out just what it means.

Mr. KEEFE. The gentleman has put the matter just in reverse. I call his attention to the fact that, in my humble opinion, the operation of the operative sections of the Neutrality Act as it is written should depend upon the existence of a state of war, regardless of where that war is, rather than upon a finding by the President that a state of war exists, for this reason: You have protected the rights of the President in his capacity as President, because when he issues his proclamation it is of no effect as affecting anybody, because you have still the reservation in section 2 and in section 5 and in section 4 and in all the operative provisions of this law—you have still the reservation in the President of the right to make rules and regulations that would permit us to carry on the commerce of this Nation and to protect the lives of our citizens. There is absolutely no necessity for putting this provision in section 1, which acts as a further discretionary barrier against the finding of the existence of a state of war.

And suppose that a state of war does exist between some of the countries that you named, Mr. Chairman, and he, mandatorily, under the provisions of the law, issues a proclamation, and the President then concludes that the safety of this country is not involved, that the welfare of our citizens is not involved, have you not protected the rights of the President by still reserving to him the right to make rules and regulations governing the conduct of citizens under section 2; governing the exportation of arms and munitions and other commodities under subsection (d) of section 4, because in all of these provisions it is provided:

Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, except in accordance with such rules and regulations as the President shall prescribe.

Now, it is my position and the position of the people I represent that the question as to the issuance of a proclamation should be dependent upon the actual existence of a state of war, and not be dependent upon the determination of the President that those things are involved which are contained in this amendment. Then if he sees fit in his discretionary powers as President to make rules and regulations in the case of an isolated war between two isolated nations, why is he not fully protected and why are not the rights of the President fully protected?

Mr. BLOOM. Are you asking me?

Mr. KEEFE. Yes.

Mr. BLOOM. Is it your thought to have the President issue a proclamation if war should exist between any two nations in the world?

Mr. KEEFE. Yes.

Mr. BLOOM. However far they may be removed from us?

Mr. KEEFE. Exactly.

Mr. BLOOM. Why should a proclamation of that kind be issued or this resolution go into effect to no purpose?

Mr. KEEFE. There is nothing in the resolution that compels putting into effect any involved machinery. You are setting up a straw man.



Mr. BLOOM. It goes into effect as soon as the proclamation is issued.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. As I understand the Chair, the Chair ruled that a substitute to the committee amendment was not in order. May I ask, however, if the committee amendment should be voted down, then would it not be in order for me to offer an amendment to strike out the two lines that are proposed to be stricken by the committee amendment?

The CHAIRMAN. It would.

Mr. CASE of South Dakota. I thank the Chair.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and there were on a division (demanded by Mr. HINSHAW)—ayes 132, noes 73.

So the committee amendment was agreed to.

The pro forma amendments were withdrawn.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Pennsylvania: On page 2, line 1, strike out all after the enacting clause and insert the following:

"Repeal of Neutrality Acts of 1935, 1936, and 1937.

"The act of August 31, 1935 (Public Res. No. 67, 74th Cong.), as amended by the act of February 29, 1936 (Public Res. No. 74, 74th Cong.), and the act of May 1, 1937 (Public Res. No. 27, 75th Cong.), and the act of January 8, 1937 (Public Res. No. 1, 75th Cong.), are hereby repealed."

Mr. FISH. Mr. Chairman, I make a point of order against the amendment.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman reserve his point of order?

Mr. FISH. I would rather not reserve it because I think we should not bring it up at this time. I think this is not the proper place for the amendment. Mr. Chairman, I press the point of order.

The CHAIRMAN. Will the gentleman from New York state the grounds of the point of order?

Mr. FISH. Mr. Chairman, I make the point of order that the amendment is not germane to this section of the bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. ALLEN of Pennsylvania. Mr. Chairman, I realize that the amendment is subject to a point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania concede the point of order?

Mr. ALLEN of Pennsylvania. I concede the point of order, Mr. Chairman, and wish to offer another amendment.

The CHAIRMAN. The gentleman from Pennsylvania concedes the point of order.

The point of order is sustained.

The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Pennsylvania: Page 2, line 1, strike out all of section 1 and insert in lieu thereof the following as a substitute for the joint resolution:

"REPEAL OF NEUTRALITY ACTS OF 1935, 1936, 1937

"The act of August 31, 1935 (Public Res. No. 67, 74th Cong.), as amended by the act of February 29, 1936 (Public Res. No. 74, 74th Cong.), and the act of May 1, 1937 (Public Res. No. 27, 75th Cong.), and the act of January 8, 1937 (Public Res. No. 1, 75th Cong.), are hereby repealed."

Mr. FISH. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. FISH. Mr. Chairman, it seems to me this amendment is not germane to section 1 but would be germane to section 15, now called section 16, on page 15, the repeal of the acts

of 1935, 1936, 1937. That is where the amendment belongs, not in the first section of the bill.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. FISH. This, of course, is the first time I have heard the amendment read. It seems to me there is but one place for it, and that would be that section of the bill where reference is made to the specific laws that are repealed. There is no reference to any of these laws in the first section of the bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. ALLEN of Pennsylvania. I do, if the Chair please.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. Mr. Chairman, it is my understanding that it is in parliamentary order to offer a substitute either after the first paragraph of the bill has been read or after the entire bill has been read. If my amendment is adopted I intend to offer amendments throughout the reading of the remainder of the bill striking out the various paragraphs as they are read.

Mr. Chairman, I believe my amendment is in order and ask for a ruling on the point of order.

Mr. FISH. Mr. Chairman, I submit that it may be in order to strike out the enacting clause at any time, but I submit the pending amendment has nothing whatever to do with the first section of the bill.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from Pennsylvania offers an amendment in the nature of a substitute for the pending joint resolution. To this amendment the gentleman from New York makes the point of order that it is not germane to the section offered.

The Chair is of opinion that the amendment is clearly germane to the pending resolution, because the pending resolution contains a section repealing certain provisions of existing neutrality laws. The amendment offered by the gentleman from Pennsylvania seeks to repeal the neutrality law. The amendment is, therefore, germane. As to the point of order made by the gentleman from New York that it is not germane to the section the Chair invites attention to section 2905 of volume VIII of Cannon's Precedents of the House which state:

A substitute for an entire bill may be offered only after the first paragraph has been read or after the reading of the bill for amendment has been concluded.

The Chair is of opinion, in keeping with the precedent to which attention has been invited, that the amendment offered by the gentleman from Pennsylvania is in order at this point.

The point of order, therefore, is overruled.

The gentleman from Pennsylvania [Mr. ALLEN] is recognized for 5 minutes.

Mr. ALLEN of Pennsylvania. Mr. Chairman, by way of explanation I may say that this amendment seeks to repeal the neutrality laws we have passed since 1935. Because of objection raised by the gentleman from New York [Mr. FISH] to my first amendment, it will be necessary as this bill is read, and if my amendment carries, to move to strike out the various sections and provisions as they are read. This will be done.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not at this moment.

Mr. LUTHER A. JOHNSON. I wish some information.

Mr. ALLEN of Pennsylvania. I yield.

Mr. LUTHER A. JOHNSON. I wanted to understand the effect of the gentleman's amendment, whether or not the amendment contemplated and embraced the repeal of the neutrality law including the Munitions Board and everything else.

Mr. ALLEN of Pennsylvania. It includes everything and wipes the slate clean.

Mr. BLOOM. Does the gentleman mean the Munitions Board, too?

Mr. VORYS of Ohio rose.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I cannot yield further until I finish my statement.

Mr. Chairman, during the past 3 years when I have been a member of the Foreign Affairs Committee I have undergone varying experiences and differing opinions regarding this problem of neutrality. I have come to the conclusion after serious study and thought that the security of our Nation is better assured in the vault of international law than behind the barriers of any neutrality legislation we may write here today. [Applause.]

I have never done a thing in my life in which I felt more convinced of being right than in offering this amendment today. Our people do not necessarily demand neutrality legislation. Our people ask us to do our duty to preserve the peace for America and to remain free from entangling alliances.

That is what they ask of us, and it is our duty to answer their plea in a constructive and forceful way by our own action and by our own words as various problems may confront us in the months and years to come.

Mr. Chairman, the code of international law which exists today was not written by any one man or group of men at any particular time. International law is very much like our own Constitution. It has been written in the rich experiences of other nations and other people in bygone times; people who faced situations similar to those which confront us today; people who were forced to master problems similar to those which we are asked to solve today. The Constitution of the United States of America goes back 600 years to the government of the Germanic tribes of Europe. Its perfection is based on the experience of people throughout the 600 years of its history. Mr. Chairman, is it not foolish for us to think in this body today that we can write better neutrality legislation than that which has been handed down to us throughout the years? International law is based on realistic principles.

[Here the gavel fell.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. ALLEN]?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Chairman, international law conforms to the laws of nature which govern this universe. International law governs international situations. Are we not short-sighted when we attempt to enact local legislation which shall be applicable to world conditions? It is no more possible to do that than to invoke a municipal ordinance of some small village of this Nation and try to apply it to the government of the 48 States.

We are dealing with an international situation, a complex situation, and we have to handle it under an international code. We are deluding our people when we infer that neutrality legislation will guarantee their peace or their neutrality against unforeseen and unpredictable circumstances. It has been said during the course of this debate that our people want some kind of neutrality legislation, that they feel this will safeguard their interests. But we are not being honest with them, knowing as we do that neutrality legislation passed here today will not safeguard their interests or guarantee peace in the future. Those of you who feel as I do are not being fair with the people of this Nation if you do not declare the truth instead of trying to lull them into a false sense of security.

If we lead our people to believe that they can hide their weaknesses and emotions behind legislative barriers, we are weakening them, when it comes to facing problems which will arise in the future. Let us be honest with them. Let us tell our people that peace for America and neutrality depend entirely on them. It depends on their own attitude in a time of crisis. It depends on their conduct in this troubled world. If we tell our people that, we are

telling them the truth. If we lead them to believe that neutrality legislation alone is going to protect their interests, we are deluding them.

The neutrality legislation which we might pass today, as well as that which we have passed during the past 4 years, is purely man-made legislation. International law has not been written by man, but, I repeat, by the experience of the ages.

Mr. Chairman, if this amendment is agreed to, we will rededicate our foreign policy to the precedents and principles of international law as enunciated in the historic practices of our Government during 150 years. We will solemnize the realization that America should be the most militant guardian of neutral rights. We will foster all efforts to restate and modernize international law so as to obtain certainty in its rules and administration. We will thus avoid emotional fluctuations at home and suspicions abroad from belligerents. We will preserve this Nation from Old World antipathies and jealousies. We will encourage the use of diplomatic measures and processes of free government to protect our interests under international law, as the problems arise. We will unfetter hands that are bound today, hands that must necessarily be free to protect the interests of our Nation. We will reiterate our opposition to entangling alliances or advance commitments. You will restore the political independence of this Congress and all future administrations and future Congresses. You will declare our unwillingness to shackle our foreign policy so as to render it impotent or dependent upon the acts of other nations. We shall, if we pass this amendment, give notice to the world of our implicit faith in the heritage of international law and our traditional policy of honest neutrality.

Mr. Chairman, I sincerely hope the Members of the Committee will adopt the amendment which I have offered, and I believe in doing so we will be fair with ourselves and with our people.

[Here the gavel fell.]

Mr. RICHARDS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, I do not think I will need the time, but like the gentleman from Pennsylvania, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina [Mr. RICHARDS]?

There was no objection.

Mr. RICHARDS. Mr. Chairman, I am astounded at the action of my dear and able friend from Pennsylvania, who is a member of the Committee on Foreign Affairs as I am a member of that committee. For 2 or 3 long months we tried to formulate a bill which would at least have a reasonable chance to insure neutrality and peace to the United States in case foreign nations became involved in a war. Not on any day or at any hour did the gentleman from Pennsylvania present the momentous question that he has today presented to the House and to the committee for its study and consideration. The gentleman not only did not present this amendment to the committee but he, along with every other Democratic member of the committee, agreed to bring this bill on the floor of the House for your consideration, and that was done with a unanimous favorable report.

Now, what does the gentleman do? The gentleman comes here and contradicts the action he took after 2 months of deliberate study and presents to the House an amendment that will have the effect of scuttling every important section of this bill; in other words, he attempts to kill that which he helped to create.

Let us get clearly what this amendment will do. A great many gentlemen on the Republican side of the House and some Members on the Democratic side have opposed this bill because it repeals the embargo features of the present law. How these gentlemen can support the amendment offered by the gentleman from Pennsylvania I cannot see, because the gentleman's amendment repeals the embargo law in addition to dealing a death blow to every section of the bill now before



you. Some gentlemen on both sides of the House have risen here and have objected to this bill on the ground that it is a British-French bill. How those gentlemen and ladies could vote for this amendment I cannot see, because the amendment carries us straight back to international law, if there is any such thing, and there is not a Member of this House who will contend that, in the event of foreign war, international law as it now exists will not be favorable to England and France and their side of the struggle.

I do not admit that the gentleman's amendment would carry us back to international law, because there is no such thing. [Applause.] In my study of this question I have found that international law is whatever any nation or group of nations who control the channels of trade of the world say it is. Back in 1917 it happened that the Allies controlled the channels of trade in the world, and international law as it existed at that day—and it did exist to some extent—definitely placed our influence on the side of the Allies before we ever got into the war, because international law was what Great Britain said it was.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I cannot yield.

Mr. ALLEN of Pennsylvania. I will ask unanimous consent that the gentleman be given additional time.

Mr. RICHARDS. Very well; I will yield at that time. If international law amounted to so little at that date; then, with the disturbed condition of the world today, and with the constant flaunting in the face of the world of a spirit of utter disregard for the humanitarian rights and desires of people struggling for peace, liberty, and existence, what does it amount to now? I subscribe to the idealism of Woodrow Wilson when he said in effect that to have permanent peace on this earth and to have a brotherhood of man there has to be a get-together of the nations of the world in a spirit of peace; but with conditions as they are today that wish and that desire is only a dream. No Member of this Congress can say that all the nations of the earth are willing to sit down with us and discuss these questions in the proper light and with the proper desire.

The bill before you, the bill the gentleman from Pennsylvania supported before he offered his amendment, will give us something besides international law. In this bill, it is true, we have no provision for an embargo. But we say in this bill that we want to help out international law, if there is any such thing. When we say that we are going to do everything possible to discourage our citizens from doing those things that may bring on incidents to stir the people of this country up to the point where they would want to go to war, and at the same time make it easier for the President of the United States—it matters not whether he is a Democrat or a Republican—to perform his duties as far as foreign affairs are concerned. In an attempt to that end we have put in this bill several sections that I wish my friends would seriously consider before they vote to scuttle them through the amendment offered by the gentleman from Pennsylvania.

One of these sections is that our citizens shall not travel on belligerent ships. Is there any man or woman in this House who does not believe that travel on belligerent ships during the World War had something to do with our involvement? Is there any man or woman here who does not remember the stupendous consequences of the sinking of the *Lusitania*?

The bill we have here—and I believe practically every other Democratic member of the committee believes in it—also prohibits certain financial transactions with belligerent powers. Is there any Member of this House, man or woman, who does not believe that financial transactions involving foreign governments and this country before we became involved did not have anything to do with getting us into that war? Everybody knows that when obligations were floated here by foreign nations engaged in conflict, immediately a propaganda agency was created, by the fact itself,

to enable collection of those debts, and the only way collection could be made possible was by involving the United States of America on one side or the other to insure the victory of the cause in which those investments had been made.

The bill also prohibits the use of American ports as a base for belligerents. Under international law we are not protected there.

[Here the gavel fell.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I will yield to the gentleman in a moment.

This bill also prohibits the arming of merchant vessels. This amendment, which is not agreeable to me in every particular of its phraseology, was offered by my good friend the gentleman from Massachusetts [Mr. TINKHAM]. At the time he offered it I voted for it, and I believe mine was the deciding vote on the amendment. But, Mr. Chairman, I voted on that amendment in committee after serious study extending over several days. If the amendment had not carried I would possibly have given notice to the committee that I would support it on the floor of the House. However, I would not have come in here with an eleventh-hour attack and tried to scuttle the very artery and blood carrier of this bill.

Now I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. The gentleman has cited several provisions in the act which we are now considering which might be desirable. My point is that in the event we face a crisis in the future this Congress will be free to enact such legislation as it feels is necessary to protect the best interests of our people, and that is the duty of going back to international law. It gives us freedom to act as we think best at the time.

Mr. RICHARDS. I say in reply to the gentleman from Pennsylvania that this Congress is always free to pass any law or to repeal any law, and if this law is not sufficient to properly meet the conditions 1 year from now or 2 years from now or 6 months from now, I will be the first one to vote for a law to take its place and properly meet the situation in the best interest of the American people.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield again?

Mr. RICHARDS. I yield.

Mr. ALLEN of Pennsylvania. If we change existing law in the middle of the game, then we are permitting an unneutral act.

Mr. RICHARDS. What kind of game is the gentleman from Pennsylvania talking about?

Mr. ALLEN of Pennsylvania. Just what the gentleman said a moment ago. You were talking about existing law and how the Congress can change it at any time, but if we do change it after war is started, then we are guilty of changing the rules in the middle of the game and we have committed an unneutral act.

Mr. RICHARDS. I will say, in reply to the gentleman from Pennsylvania, my position on that is identical with the position of the gentleman from Connecticut [Mr. SHANLEY], and that position is that if it is for the best interests of the United States, then change the rules at any time, as long as we have to deal with foreign nations who change their rules of the game overnight.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. MOTT. Is it not a fact that when the time comes when we ought to change our minds or we think we ought to, we would then have to become neutral anyway and it

would not make any difference? We could amend or repeal the law without violating any neutrality.

Mr. RICHARDS. That is possibly true, although I did not understand everything the gentleman said.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the gentleman from Massachusetts.

Mr. HEALEY. If we change our policy so as to affect adversely one of the belligerents, the belligerents may consider that an act of war and a hostile act, may it not?

Mr. RICHARDS. That is true. These nations object to our changing the rules of the game, but they are quick to change the same rule when it benefits them. [Applause.]

Mr. HEALEY. I call the gentleman's attention to an incident that occurred prior to our entry into the war when President Wilson at that time informed the State Department and the Congress that if a certain act was undertaken changing our policy it might be looked upon as an unneutral act.

Mr. RICHARDS. That is correct.

Mr. HEALEY. Because of changing the rules in the middle of the game.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have opposed the Bloom bill very largely because it repealed the arms embargo.

I am convinced if we sell arms and ammunition to warring nations, nothing in the world can keep the United States out of that war. But this is a proposal by the gentleman from Pennsylvania [Mr. ALLEN], who has been on the committee for 3 years, who now wants to undo the work and the efforts of millions of Americans, peace-loving Americans throughout this whole country of ours, in every single congressional district, who want a neutrality law that will be a deterrent, no matter how large or how small, to keep us out of war by preventing the traffic in arms and ammunition for blood profit and war profits and to destroy people with whom we are at peace. The gentleman from Pennsylvania now comes along and proposes an amendment to wipe out everything that has been done by this and previous Congresses and by the peace-loving people of America, and take us back to the days of 1927. This Allen proposal takes us back to international law, international law that has been repudiated time after time by Great Britain, who ignores it completely when it serves her purpose, who issues new regulations governing international law any time when it serves her control of the sea or her commercial interests. For all these years under international law, foodstuffs have been non-contraband, but in the last war every ship taking foodstuffs to foreign lands or neutral nations was seized by Great Britain in violation of international law.

It is now proposed, under the guise of international law, to go back 20 years and destroy the progress that has been made for peace in this country, for keeping us out of war, for keeping our soldiers out of foreign lands, and it is now proposed to open wide the gates and let us sell anything in the way of arms, ammunition, and implements of war, to let our men and our nationals go on belligerent ships to incite us into war, as happened in 1917. Do you mean to say to me, you Democrats and Republicans, that you have learned nothing from the World War, that you want to go back to the World War days and provocations? If you pass any such resolution as this you will have us in war just as soon as a war breaks, not 6 months from then, but within a month or 2 months we will be preparing to send the youth of America to another blood bath in Europe.

For what purpose? Because of war profits; because someone wants to sell arms and ammunition for blood money, which means taking American soldiers into war. That is what this amendment does. The Bloom bill is bad enough. I will never vote for the Bloom bill in its present form, but this proposal is 1,000 times worse than the Bloom bill. [Applause.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FISH. Certainly.

Mr. ALLEN of Pennsylvania. The gentleman is not indicting this Congress and the intelligence of future Congresses when he states that they will plunge this Nation into war unless neutrality legislation happens to be on the books?

Mr. FISH. I am not indicting this Congress.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FISH. I know what the last few Congresses have done to enact neutrality legislation probably before the gentleman from Pennsylvania came into Congress at all. For years this sentiment for neutrality has been increasing and so have the demands that we do something. What do you do in your district when there is an epidemic of diphtheria or typhoid? Do you not try to avoid it? Do we not have health rules and regulations against it? Do you not try to keep away from such contagious diseases? Now, you open wide the door by this proposal of yours. It is the greatest blow to the peace-loving people of America that has ever been introduced since the World War, and I do not believe your constituents will stand for it.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. FISH. No. I am sorry that I cannot yield.

The Allen amendment wipes out everything—loans to belligerent nations; travel on belligerent ships; submarines in ports; everything that the Congress has enacted in recent years to keep us out of foreign wars, at the demand of great groups of peace-loving people. Who demands this? The American Federation of Labor is against it. The American Federation of Labor, representing the wage earners, want an arms embargo. The farmers, the National Grange, want an arms embargo. I do not know of any group, outside of the Communists, who want to sell arms, munitions, and implements of war to belligerent nations. This is exactly what they would want, to get us into war in defense of Soviet Russia.

Now, there have been a lot of high-minded Members who have forgotten and who have not studied international law for a number of years. At one time international law meant something. It was built up step by step, but it has been so repudiated, particularly by Great Britain, that it hardly exists. That is the reason why we wrote the first neutrality bill, the second neutrality bill, and are again considering another neutrality bill. I know what I am going to say may lose some Democratic votes. When I spoke under the rule I foolishly did not say some things I would like to have said, because I feared I might lose a few Democratic votes. My colleagues on the Republican side urged me not to refer to the President, saying "Don't say this and don't say that."

This is no time to mince words. This is a dangerous proposal at any time in view of what happened in the World War. It would not be so bad if Thomas Jefferson were President. We know what he thought about keeping out of the eternal wars of Europe. It would not be so bad if those great Democrats, Grover Cleveland or Andrew Jackson, were President, but we have got a man in the White House who has already committed himself to take sides in a European war. He is an internationalist; he is an interventionist; he believes in the League of Nations and in economic sanctions and in policing and quarantining the world with American blood and treasure. President Roosevelt is the first President we ever had, to believe in all these forms of collective security. Every one of these high-sounding phrases means exactly one thing. They mean war—bloody, ruthless, destructive, ruinous war in which even the victor loses.

He has a right to his views, and so has that distinguished man who is Secretary of State, Mr. Hull, with whom I served



for many years in this House, although he was not then a member of the Committee on Foreign Affairs. But he is a fine, high-minded man. He also believes in those principles of internationalism. He is consistent, and I like people who are consistent. He believes in internationalism; he believes in the League of Nations; he believes in economic sanctions and apparently is urging this Bloom interventionist bill.

Therefore we are already committed if either the fake Bloom neutrality bill passes or if we go back to international law, making it far worse. I do not ask you on the Democratic side to accept what I have to say about the President. I quote to you what the New York Times had to say in an article by Arthur Krock, a very distinguished writer. The New York Times is probably the greatest paper in America, and again a consistent paper, and I admire them for it.

It is an internationalist paper and an interventionist paper, and has been a League of Nations' paper for 20 years. This is what Arthur Krock has to say in that paper, and there is no smarter reporter here in Washington, even though he be a Democrat. [Laughter.] He said on April 14, in the New York Times, in an article entitled "The President Moves Our Frontier Far Eastward":

The President on Tuesday indirectly but unmistakably—and in advance of battle—ended all pretense that this Nation, so far as he can act for and influence it, will attempt to maintain neutrality in a European war.

Tuesday that Nation's constitutional spokesman in foreign affairs, Commander in Chief of the Army and the Navy, virtually announced in advance of war a course of aggressive partisanship.

Now, let us go on and quote from another source. The Saturday Evening Post, in an editorial on May 20, 1939, said the following:

For a year and a half the President of the United States has been talking war. He began it with a "quarantine speech" in Chicago in October 1937, saying there was no escape for us through mere "isolation or neutrality" and that the "peace-loving nations must make a concerted effort" to quarantine and stop the aggressors.

Again, the New York Times has this to say:

President Roosevelt strongly implied in his press conference today that he believed the involvement of the United States in any general European war was inevitable, and that this Nation should stand shoulder to shoulder with Great Britain and France against Nazi-Fascist machinations aimed at world domination by force.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. BARRY. Conceding all the gentleman has said to be true, is he not inconsistent in supporting or advocating the Bloom bill in preference to this amendment? This amendment restores to the President really what the Constitution gave him, whereas the Bloom bill gives him many additional powers.

Mr. FISH. Let me say to the gentleman that the gentleman would be right if it were not for the fact that I am against both the Bloom bill and this amendment all the way through. I think this amendment is even worse than the Bloom bill, and I hope this amendment will be voted down so the people back home may know that the Congress wants to keep the country out of foreign wars. [Applause.]

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise to receive a message from the Senate and allow certain bills to be sent to conference.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Joint Resolution 306, the Neutrality Act of 1939, had come to no resolution thereon.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. FRAZIER, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6791. An act making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6970. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 27. Concurrent resolution authorizing the conferees to amend the title of H. R. 3325, the stabilization fund and dollar devaluation bill.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6977. An act to extend the time within which annual assessment work on mining claims held by location in the United States may be commenced, for the year commencing at 12 o'clock m., July 1, 1938.

The message also announces that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 294. Joint resolution providing for the presentation through the American Minister to Greece of a certain monument to the people of Greece.

#### URGENT DEFICIENCY BILL, 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6970) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes, with Senate amendments, disagree to the amendments of the Senate, request a conference with the Senate, and that the Speaker appoint conferees; that the managers on the part of the House may be allowed to agree to the Senate amendments with or without amendment notwithstanding the provisions of clause 2 of rule XX; and that the conferees may have until midnight tonight to file their report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. TAYLOR of Colorado, WOODRUM of Virginia, CANNON of Missouri, LUDLOW, THOMAS S. McMILLAN, SNYDER, O'NEAL, JOHNSON of West Virginia, TABER, WIGGLESWORTH, LAMBERTSON, and DITTER.

#### SUPPLEMENTAL WAR DEPARTMENT APPROPRIATIONS, 1940

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6791) making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair

hears none and appoints the following conferees on the part of the House: MESSRS. SNYDER, TERRY, and POWERS.

#### NEUTRALITY ACT OF 1939

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 306, the Neutrality Act of 1939.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 306, with Mr. COOPER in the chair.

The Clerk read the title of the joint resolution.

Mr. KEE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am astonished today to find myself for the first time since I came to Congress, on the same side of a question as my distinguished friend and fellow member of our committee, the gentleman from New York [Mr. FISH]. I agree with his proposed action and expect to follow that action, but I must say to the Committee that I do not agree with the reasons he has put forward to support that action. Nor do I agree with the grounds upon which he predicates his proposed action, nor do I agree with the statements he made in support of his argument. I do not agree with him that there is any immediate danger of war in this country. I do not agree with him that the President of this country or any Member of this Congress, in either House, has it in his mind today either collectively or individually to lead this country into war. On the contrary, I believe it is the most earnest thought and effort of our distinguished leader today, and in the minds of all the Members of this body, honestly, earnestly, and conscientiously to do whatsoever they think is within their power to keep us from any entangling alliances with foreign nations, and from any danger of being drawn into a foreign conflict.

I agree that it is impossible by the passage or writing upon the books of any legislation, whether we designate it a neutrality act, a peace act, or by some other name, any legislation that will absolutely insure our safety and security and the peace of our country in the event of an international conflagration. It is my firm conviction that we can never legislate for this Nation absolute security against the dangers of war, nor can we legislate our people into a neutral frame of mind and keep them so when either their sympathy or their resentment has been once aroused.

For 6 long years I have been a member of the Committee on Foreign Affairs, considering, among other matters connected with our foreign relations, the important question of neutrality. For 6 long years that committee has labored zealously and earnestly and has given to this question its best effort and thought.

After 6 years of labor, and after 3 long recent months of hearings upon this question, and having reconciled the divergent views held by the members of the committee, we finally prepared and brought here what we thought was the best measure that could possibly be written in order to attain our objective. This is not a complicated measure. The principal change in the present law made by the bill is that it repeals the embargo provision. The other sections of the bill are merely restatements of what I think are necessary provisions—provisions which must go into the law of this land, whether we call it a Neutrality Act or not. If we adopt today the amendment which has been so suddenly sprung upon this body by the gentleman from Pennsylvania [Mr. ALLEN], what is the result? We go back to the chaotic conditions of other days. We delete from our statutes every provision of law relating to neutrality that has ever been written into the statutes by the Congress of the United States.

[Here the gavel fell.]

Mr. ALLEN of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. ALLEN]?

There was no objection.

Mr. ALLEN of Pennsylvania. Will the gentleman yield?

Mr. KEE. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. Is it not a matter of simple fact that if the Congress of the United States cannot be trusted to face an emergency intelligently when it arises it cannot be entrusted to write neutrality legislation?

Mr. KEE. I agree with that statement, but may I say that the emergency is before us today and we are meeting the emergency with the bill that we have presented to the House.

Mr. ALLEN of Pennsylvania. Are we not writing a set of rules when we do not know the game, what it will be, who the players will be, or where it will be played?

Mr. KEE. Not with this measure. The gentleman certainly has not given the measure the thought and study I had supposed he was giving it during the past 3 months, if he holds the view his question implies.

Mr. THOMAS F. FORD. Will the gentleman yield?

Mr. KEE. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Are we not in this bill simply writing a set of rules for our own people, to enable the President to take such action as is necessary to keep them from embarrassing our people?

Mr. KEE. Not a set of new rules, but rules with which we are all now and have heretofore been familiar, and rules which we know are required.

Mr. CORBETT. Will the gentleman yield?

Mr. KEE. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. The gentleman made the statement that the Bloom bill meets the present emergency. What emergency does the gentleman refer to?

Mr. KEE. I refer to the requirement presented to us by the people of America who are demanding today that we place upon our statute books an act prepared by the best thought of the land, and one which will serve to keep us out of war just as surely as any measure that can be prepared.

We have prepared this bill and present it here today. If the amendment offered by the gentleman from Pennsylvania is agreed to, what will it do? It wipes off of our statute books all restrictions of American travel upon the vessels of belligerents, as well as every other vessel in time of war. It will destroy all inhibition against shipments to all the nations of the earth, including belligerents, of every manufactured commodity on earth. It would repeal all rules and restrictions against the use of ports by submarines and warships during the time of war and conflict. It will repeal all inhibitions against loans and credits to foreign countries, or the making of financial arrangements in this country by foreign nations, except those that may come within the terms of the Johnson Act. It repeals and takes off our books the act which created the Munitions Board, a provision of law that has met with universal favor. Not a single voice in the country has been raised against the creation and functioning of the Munitions Board.

Mr. Chairman, it is a strange thing to me, after 5 years of service upon this committee, 3 of those years having been served with my good friend who offered this amendment, 3 months served with him in hearings upon this legislation, that this question was never presented, either by the gentleman from Pennsylvania [Mr. ALLEN] or by anyone else on either side of the House; yet today we come here and find ourselves surprised with the offering of an amendment which destroys all the work of years.

Mr. Chairman, I ask that the membership of the Committee vote down the amendment.

[Here the gavel fell.]

Mr. CORBETT. Mr. Chairman, I rise in opposition to the pro forma amendment.



Mr. Chairman, may I say first of all on behalf of my good colleague on the committee, the gentleman from Pennsylvania [Mr. ALLEN], that I know that from the first time testimony was ever presented to the committee in support of his particular amendment he has sincerely so advocated. I happen to have the office across the hall from him and have had numerous occasions to discuss this problem with him. I want to report to the membership of the Committee and to the people of the country that the gentleman from Pennsylvania [Mr. ALLEN] has been amazingly sincere and consistent in his advancement of this particular proposition.

Mr. JARMAN. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Alabama.

Mr. JARMAN. Does the gentleman recall that the gentleman from Pennsylvania [Mr. ALLEN] ever offered an amendment to this effect?

Mr. CORBETT. I am quite sure he did not offer an amendment as such. However, I will say that was the idea that he advanced and discussed, concurring with the gentleman from New York [Mr. WADSWORTH] and others.

Mr. MAAS. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Minnesota.

Mr. MAAS. Does the gentleman remember my appearing before the committee as a witness in support of my own bill, that has exactly the same purpose, and that I was heard for 45 minutes?

Mr. CORBETT. I believe the gentleman was the first one who appeared before the committee on that proposition.

Mr. FADDIS. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Does the gentleman remember I appeared in support of just such an amendment at the same time?

Mr. CORBETT. Yes.

Mr. BARRY. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from New York.

Mr. BARRY. Does the gentleman recall the expression "that only a fool will not change his mind?"

Mr. JARMAN. Despite all of this, the gentleman does not recall that the gentleman from Pennsylvania [Mr. ALLEN] introduced an amendment to this effect?

Mr. CORBETT. The gentleman perhaps misunderstood me. I agreed with his statement that the gentleman from Pennsylvania [Mr. ALLEN] did not introduce such an amendment.

Mr. JARMAN. There has been some reference to testimony on this matter.

Mr. ALLEN of Pennsylvania. Will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. I think the membership of the House for the most part will agree that there has been an amazing development of sentiment in support of my amendment during the debate on this neutrality bill. It was with that thought in mind that I offered the amendment which portrays my own views on the whole matter.

I never dreamed when we were discussing the matter in the committee that the sentiment in the House for such an amendment would be as strong as it is or I would have offered the amendment long ago.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. When I have finished my statement I shall be happy to yield to the gentleman, if I have any time left.

I made such remarks as I just did regarding my colleague because I do not approve of some of the attacks that have been made on him. I made those remarks because I know he is making a sincere effort to secure the adoption of his honest convictions, and I made those remarks despite the fact that I will not vote for his amendment.

If we may clarify the choices before us today, let me say that we have three basic alternatives. We can maintain the present neutrality laws, we can adopt the Bloom bill, or we

can adopt the pending amendment and go back to international law and constitutional procedure.

Which of the three courses will we choose? I want particularly to address myself to my colleagues on my own side of the aisle, because I feel that to a considerable degree they are being led into an inconsistent position. They have repeatedly objected to the fact that the passage of the Bloom bill will take away some of the restrictions imposed by the present neutrality laws on the powers of the President, and, furthermore, that the Bloom bill will grant increased discretionary power to the President. If this amendment is adopted there will be a still further increase of arbitrary power in the hands of the President. To be clear and complete, under international law, with no rules governing, with no automatic embargo, with all the rules regulating travel of American nationals, and with the rules governing the cash-and-carry transportation of American goods eliminated, the President will be left with more power than even the Bloom bill grants—that is, the Bloom bill as it will be amended. Therefore the position of our ranking Member is highly consistent in that going back to international law would be even worse than the passage of the Bloom bill. [Applause.]

[Here the gavel fell.]

Mr. MARTIN J. KENNEDY. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. MARTIN J. KENNEDY: On page 2, line 1, after the enacting clause strike out all of the language of the resolution down through and including section 14, and insert the following:

"Whereas the policy first stated by George Washington that the United States should not involve itself in any foreign entanglement has proven salutary as a safeguard for America when strictly observed and when the Congress of the United States departed from this policy in 1917 under heat of war propaganda, thousands of our young men were killed and injured, as well arousing the hostile feelings of the nations of the world against us; and

"Whereas attempts are now being made to have the Government of the United States again ignore the advice of George Washington and again embroil this country in the clash of foreign empires; and

"Whereas considerable speculation exists in the foreign chancelleries and among the peoples of the world as to the position of the United States should another European war arise; and

"Whereas foreign countries are making efforts through propaganda to ensnare the United States on their respective sides; and

"Whereas the Congress of the United States and the people of the United States have only an interest in continued peace of the world and the happiness of our country; and

"Whereas under the Constitution the Congress of the United States has the sole power to declare war; and

"Whereas the neutrality law has come to a termination: Therefore be it

*"Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that the entire world be put on notice that the Congress of the United States will not declare war on any country unless our own safety is directly and immediately involved by a hostile force or by an actual violation of international law which endangers the safety of our country and its citizens; and be it further*

*"Resolved, That certified copies of this resolution be sent by the State Department to the foreign offices of every country in the world."*

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. MARTIN J. KENNEDY. I do, Mr. Chairman.

The CHAIRMAN. The Chair will be pleased to hear the gentleman on the point of order.

Mr. MARTIN J. KENNEDY. Mr. Chairman, by the very preamble of this resolution, I believe that my amendment is in order. If the Members of the Committee will read the preamble to House Joint Resolution 306 they will find that it covers the entire field of neutrality. There is no question in my mind that if this joint resolution is adopted all the things proposed in my resolution will be covered. Therefore, I feel that my amendment is in order.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from New York [Mr. MARTIN J. KENNEDY] offers an amendment as a substitute for the pending amendment offered by the gentleman from Pennsylvania [Mr. ALLEN]. The amendment offered by the gentleman from New York contains a preamble. Obviously that would not be in order at this point, because a preamble can be in order for consideration only after the body of a bill or joint resolution has been considered and perfected.

The Chair further invites attention to the fact that the resolving clause contained in the amendment offered by the gentleman from New York is not germane to the joint resolution now pending.

The Chair is of the opinion that the amendment is not in order and, therefore, is constrained to sustain the point of order.

Mr. MARTIN J. KENNEDY. Will the Chair hear me further on the point of order?

The CHAIRMAN. The Chair has already ruled. The Chair regrets that he cannot hear the gentleman further on the point of order.

Mr. IZAC. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the World War was no sooner over than 4,000,000 veterans immediately took it upon themselves to go before the American people and demand that some sort of neutrality legislation be enacted to back up international law. This matter hung fire, together with the proposal to take the profits out of war, for several years. Finally the American people were educated up to the point where they believed, and believe now, if you please, that neutrality legislation is necessary to amplify and make authoritative the tenets of international law. You are flying in the face of the American people when at one fell swoop you throw away all the gains that have been made by neutrality legislation in the past, and do not forget that.

I believe you will go along with me that you like the Munitions Control Board. I have not heard a word against it from anyone. I believe you will like this idea of making the title pass before any goods leave this country. I believe you will like many things that are either in the contemplated bill or actually accepted now as a part of the neutrality policy of this country, and that you will be unwilling to wipe the slate clean, as it has been termed by my colleague from Pennsylvania, and go back to international law.

Personally, I can see where it would untie the hands of the President to go back to international law. If you of Irish extraction, for instance, think that the present law helps England, what will be the situation under international law? Why, it will be ten times as bad. I am no lover of the English Government but I do love the British people, because I suffered in prison camps with some of those poor, emaciated boys, under the guns of their own people, fortifying the German lines at the front. I know what those British Tommies went through, but I have no respect for their government or for the softness with which that government is approaching international problems today.

I want to be fair. We are interested in one thing, and that is keeping this Nation out of war. You are not going to do that by telling the American people that we have been making a mistake all these years, and that now we have to go back to international law.

Maybe in 4 years, after you educate the American people to the belief that neutrality legislation and keeping out of war are not synonymous, then, perhaps, they will be willing to let you go back to international law; but can you not remember what it was like in 1917? You had international law then. I have often said to myself that international law is the finest thing in the world to get together on after a war has been fought, and decide how much we owe each other. [Laughter.] That is international law, if you please, because in the last analysis international law is what the big boys say it is when war is going on, and when their backs are up against the wall as Germany's was. She said what international law amounted to in 1917—unrestricted

submarine warfare—and that is why we got into that war. England was not guiltless either, but there was one thing you could do. You could protest if you did not like the way they acted under international law. If that did not serve your purpose, there was one thing left to do after that, and that was to go to war about it, and it was a question for a while whether we would go to war against England or Germany, for both had violated international law.

So do not put your full trust in international law, but rather expect that international law is to be backed up by some neutrality legislation that the American people want and demand. They have been demanding it for the last 5 years, and they are going to continue to demand it until you educate them differently.

I believe the amendment should be voted down. [Applause.]

Mr. BLOOM. Mr. Chairman, I would like to see if we cannot come to some agreement with regard to time on this amendment.

Mr. FISH. I think we might let the debate run along a little while longer, as this is the most important section of the bill.

Mr. BLOOM. I had in mind agreeing on time with respect to this amendment.

Mr. FISH. My suggestion is that we continue the debate for half an hour and then see how many want to speak.

Mr. BLOOM. Mr. Chairman, I want it understood that I am agreeable to anything at all. I will sit here all night if necessary, but I think we ought to agree upon some time on this amendment, whether it is going to be an hour or 2 hours.

Mr. FISH. There are so many Members on their feet seeking recognition, and inasmuch as they have not time in general debate they want to be heard now, and I am willing to sit here until 10 o'clock tonight.

Mr. BLOOM. Suppose we let the debate run for 30 minutes, and at the end of that time agree on some time for ending debate on the amendment.

Mr. FISH. We will know much more about it then.

Mr. BLOOM. I wish to state that an agreement has been entered into between the gentleman from New York [Mr. FISH] and myself that every speaker on this amendment should speak only 5 minutes and not be given additional time.

The CHAIRMAN. The gentleman will have control of that, because they cannot speak more than 5 minutes except by unanimous consent.

Mr. EATON of New Jersey. Mr. Chairman, the experience of this House this afternoon must throw a flood of light throughout the nations of the world as to the confused and uncertain opinion of America on the subject of neutrality.

Yesterday a distinguished gentleman announced on this floor that in his judgment the 531 Members of the Congress did not have as much judgment as the one President of the United States. I did not believe the statement then, but after what I have heard here this afternoon I have come to fear that perhaps he was right [laughter], and I, of course, assume my place and acknowledge my guilt as one of you.

I have been for 15 years on the Foreign Affairs Committee and during the last few years we have had interminable hearings every year and each year have concocted some sort of impossible neutrality law, each with a different hump on it from the one we had before; and, now, today we have a neutrality law before us which the distinguished leader on my side loathes with all his heart, but which he is anxious to have saved, because without it he is afraid we will go back to international law as the basis of our international policy.

We have international law now. The peacetime business of the world would cease without it. There is an international law of peace, there is an international law of



neutrality and of war which, of course, suffer great shocks and stress in times of conflict. But, Mr. Chairman, if we went back to international law and divested ourselves of this strange statutory hodgepodge that we now think is neutrality legislation, we would once more invest the President of the United States with the prerogatives and surround him with the limitations of the Constitution which have been practiced and observed by all Presidents for 150 years; and in addition to that, we would give back once more to the Congress of the United States its own proper constitutional standing and authority in all matters that have to do with foreign relations and with war and peace.

I was sorry to hear gentlemen express shock and surprise when my friend, Mr. ALLEN of Pennsylvania, offered his motion. There is no man in this House or in any other house of higher quality of character and of finer intelligence than this particular gentleman, and I am only sorry that with his rare integrity and courage he is on the wrong side of the aisle. [Laughter and applause.] I have talked with him many times on these questions, as have many others, and I believe that the idea expressed in his amendment has taken hold in this House, that the thing to do now is to sweep the decks, get clean of the grave clothes, and give this greatest of all Nations that you love and adore freedom to go out in the world and say to mankind that the time is here for civilized societies not to fear and hate each other, not to engage in armed conquest and aggression, but to begin to confer on the possibilities of establishing our relationships, national and international, once more upon law, upon decency, upon morality, and upon humanity. It is this ideal and this idea which brings so many of the Members of the House regardless of party to the support of the Allen amendment which I sincerely hope will pass.

Mr. TINKHAM. Will the honorable Representative from New Jersey answer a question?

Mr. EATON of New Jersey. He might not be able to, but he can try.

Mr. TINKHAM. I think the honorable Representative minimizes his ability. Did not following that course in 1917 plunge us into war?

Mr. EATON of New Jersey. What course?

Mr. TINKHAM. The use of international law and its manipulations.

Mr. EATON of New Jersey. You might just as well say that whistling Yankee Doodle started the San Francisco fire. [Laughter and applause.]

[Here the gavel fell.]

Mr. STARNES of Alabama. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I rise in support of the so-called Allen amendment. I was very much amazed a moment ago, as I usually am, at the mental gymnastics and verbal pyrotechnics of my good friend from New York [Mr. FISH]. [Laughter and applause.] In his oration he stated that he was opposed to the Allen amendment because it would kill the Bloom bill, yet he was opposed to the Bloom bill.

Mr. FISH. That is not quite right.

Mr. ALLEN of Pennsylvania. Will the gentleman yield at that point?

Mr. STARNES of Alabama. I cannot yield in the short time I have.

Furthermore the gentleman stated that he favored an embargo, yet an embargo presupposes a state of war, and the gentleman from New York [Mr. FISH] is opposed to a law which will permit the President of the United States of America to declare that a state of war exists, and therefore issue a proclamation bringing into force an embargo law. It seems to me that only the all-seeing eye of an inscrutable providence can follow the germs of thought through the labyrinthian caverns of the mind of the gentleman from New York relative to neutrality.

Mr. FISH. Will the gentleman yield?

Mr. STARNES of Alabama. I cannot yield.

I favor the Allen amendment because it frees the hands of the officials of the United States of America, upon whom the Constitution devolves the duty and responsibility of handling our international relations.

Mr. TINKHAM. Will the honorable Representative answer a question?

Mr. STARNES of Alabama. I cannot yield until I have finished my statement.

I favor the repeal of the present Neutrality Act and am opposed to the enactment of any other neutrality law at this time, because every act we have passed since 1935 has placed the United States of America on the side of the stronger nations of the earth. I am further opposed to it and favor its repeal because by virtue of that act itself it places the United States of America in an unneutral position.

Finally, I favor the repeal of neutrality legislation which we have enacted because it is a renouncement of the traditional policy of the United States of America which we have followed for a century and a half.

Let me say to you that the enactment and enforcement of such unworkable legislation as we have enacted since 1935 with reference to neutrality would have made it impossible for the United States of America to be the free and independent Nation it is today, if such laws were in force and effect throughout the civilized nations of the world in 1776. [Applause.]

I know not what course others may take, but in the present circumstances, since the Bloom bill itself admits that the neutrality legislation of 1935 and 1937 was a mistake, and by express terms it itself will repeal those laws, I think the most sensible thing the American Congress can do today is to cast aside this hypocrisy, this fraud we have been practicing upon our own people and the people of the earth, repeal all of this unworkable hodgepodge of neutrality legislation, so-called, and return to well-ordered ways, guided by the Constitution and by international law. Let us take ourselves out of the bypaths of hysteria and hypocrisy and put this Nation again upon the high road to common sense, decency, and sanity in our dealings with ourselves and the other nations of this earth. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, a great deal has been said about how we got into the World War. We did not get into the World War because of international law. We got into the World War because of the violations of international law and because of our failure to punish those violations. [Applause.] It was not because we did not have a neutrality law that we got into the World War. It was because we failed to enforce our own neutrality that we got into the World War. We announced an intention at the beginning of hostilities in Europe to be neutral. We did not remain neutral, however. We were forced step by step into the World War because we were not able to defend our neutrality and our international rights. We were weak. Had we had the navy that Theodore Roosevelt advocated we would never have been in the World War. We seem to forget that the first American ships that were sunk were sunk by the British, not the Germans, with gross disregard of our international rights and our neutrality. Neutral ports were blockaded against the shipping of America while we were a neutral, and we did nothing about it. Had we had a powerful navy and had we said to both sides, "We demand respect for our international rights; we will enforce our neutrality"; if we had sunk ship for ship, we would have been let alone. We would have never been in the World War, and we had no business getting into it.

The same situation exists today on both fronts, in the Pacific and in the Atlantic; but today we are no longer a weak nation. We do not have to fear now, if we will but mind our own business and stand ready to defend our own rights, which we are now able to do.

Mr. TINKHAM. Mr. Chairman, will the honorable Representative from Minnesota yield?

Mr. MAAS. I yield to the distinguished member of the committee.

Mr. TINKHAM. Is the honorable Representative from Minnesota aware that when we were making our protests and continually protesting to Great Britain that the agent of President Wilson, Mr. House, was telling Great Britain:

You do not have to take these messages and these statements seriously.

Is not that right?

Mr. MAAS. I realize that, but no law could have stopped that.

Mr. TINKHAM. No law?

Mr. MAAS. The whole theory of a neutrality law is based upon this same American misconception that you can solve every problem by the panacea of passing a law. You cannot do it. It takes as hard work and character to stay out of war as it does to stay out of immorality. You will remember that we tried to solve immorality by prohibition, but we walked back down the road of repeal; and we should do the same thing now on our unneutral neutrality laws.

The misconception that seems to me to be a fundamental in our consideration of neutrality legislation is that incidents cause wars. This, of course, is utterly ridiculous. It is not because some American happens to be on a ship that is sunk that causes war; it is not because some American happens to be selling merchandise to one country or another that gets us into war. The incidents are used, to be sure, to start up propaganda, but the thing that gets us into war is when our vital economic structure is affected. We are not going to rush into war if we are not hurt, no matter how much of our products are sold or not sold. We are proceeding, it seems to me, on the wrong basis, and, therefore, I am strong for the Allen amendment to go back to international law. If embargoes are needed at some particular time to meet a particular situation, if it is thought they will help us, Congress can pass them any time, and then if there are serious consequences, let Congress make the decision which will bring about those serious consequences.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. BREWSTER. As I understand, the gentleman stated that we would not get into a war unless our vital economic interests were seriously involved.

Mr. MAAS. I think that is correct.

Mr. BREWSTER. How did it come about that we entered the World War?

Mr. MAAS. Because we did not continue to enforce our neutrality and our international rights, and ultimately we got entirely over on the side of France and England. Had we in the very beginning insisted upon our rights, had we continued our commerce to Denmark, for instance, and not weakly yielded to the Allies, we would have had just as much at stake upon the other side. We would not then have had an overpowering interest on one side as against the other, which is what finally brought us into the war.

Any kind of a law which ties our hands when all other nations are not similarly restricted seriously cripples us in dealing with international problems. Such one-sided restrictions practically destroy our influence in dealing with other nations. The so-called aggressor nations pay little attention to our warnings or protests today, because we have voluntarily so tied our own hands by neutrality laws and semi-official pledges not to fight under any circumstances, that the world is sure we do not mean our warnings and that our protests are mere idle gestures.

There was a day when the whole world respected our position and paid attention to our warnings. There was a day when Japan abandoned a planned invasion of China at the mere warning of an American President. There was a day when France withdrew her troops from Mexico at a mere warning by an American President, that France would

stand the consequences if she did not immediately get her troops out of this hemisphere. There was a day when England recalled war vessels dispatched to Caribbean waters merely upon a warning issued by an American President.

But that was all before we set out to guarantee peace by a law. Those incidents, each one of which actually prevented a war, occurred when we relied upon international law and our own military power to back up and enforce our rights under international law.

It is so ridiculous to expect to pass local laws to try to govern the international situation and to expect other nations to be affected even though they have had no part in making such laws, and never subscribed to them.

We will not become involved in a war unless our vital national interests are seriously interfered with so long as we are neutral in fact. Of course, if we project ourselves into alien quarrels we will be drawn into a resultant war. Every so-called neutrality law we have acted upon has in fact been just the opposite—an unneutral act. In every case, the enforcement of the law aids one side in a war, and the nonenforcement aids the other side.

Neutrality means to be neutral, not to take sides, to treat all parties exactly alike. We do not need a new law for that. In fact, no such law can be written in advance.

No neutrality law would have saved us from the disaster of the World War.

In my opinion a law such as we have now on the books, or as we have before us for action today, would have merely speeded our entrance into the World War.

We were dragged into that war, not because we relied upon international laws of neutrality, but because we failed to enforce and defend that policy. The Allies were the first to sink our ships and to interfere with and restrict our shipping. We wrote notes, but we did not retaliate as we should have.

Later, when Germany found herself cut off from supplies from the United States, it set out to try to deny those same supplies to its enemies, France, England, and Italy. The Germans were convinced that we would not go to war in retaliation for sinking our ships, since we had not done so when England sank our ships and blockaded neutral ports against our shipping.

Had the United States rigidly adhered to its announced policy of neutrality from the very beginning and had we vigorously defended our shipping, we need never have become involved.

Our peace and security lie in our remaining out of the overseas quarrels, in which our vital interests are not affected, and in our maintaining such a Naval Establishment as will insure the protection of our commerce and the defense of our legitimate rights.

No nation on earth will sink our ships, blockade neutral ports, nor invade, directly nor indirectly, this hemisphere if such a nation knows that to do so will bring immediate and effective military reprisals from us.

The defense of the United States requires more than the mere ability to hold off an invader from our shores. It requires that we be able to vigorously punish any aggressor against us and to do so in his own homeland.

The mere defeat of his expedition against us is not a vitally serious matter to him. He can and probably will try again, and all history bears this out. But if serious damage can be inflicted upon his homeland, he will think twice before starting such an adventure. It is not the fear of defeat for an expeditionary force that deters aggressors, but the fear that they themselves may be invaded in return for such aggression that keeps them at home in the first place.

There is a way that we may be assured of the maximum freedom from our participation in foreign wars.

That is to let the world know that we will not interfere in foreign wars in which our vital interests are not involved; to assure the peoples of the world that we will not invade foreign lands for the purpose of acquiring territory; that we will use our military forces only in protecting our own



interests. At the same time, let us warn the governments of the world that we will tolerate no encroachments in this hemisphere, and no interference with our international rights anywhere. Let us in unmistakable terms assure one and all that to interfere with us will bring immediate and drastic punishment from the United States, and then we will be let alone.

There is no royal road to peace nor security. The price of freedom is still eternal vigilance.

Let us abandon the foolish illusion of peace by a law, and depend on plain, hard common sense, which says "mind our own business, and be so powerful in our self-defense that no one will risk our righteous wrath."

If we pursue such a policy we will be let alone, and we will have peace.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this amendment deals with the very heart of the legislation. I do not care to criticize my friend from Pennsylvania, the author of the amendment. I am not going to vote against the amendment because he offered it, as my friend from New York is going to vote against this bill because he does not like the name of the gentleman on our side who offered the bill. I think we ought to pass upon this question stripped of all personalities and of all prejudices.

There has been a good deal of talk here as to how certain features of the bill would affect this country or that country. I have not in any of the remarks I have made so far on this bill had anything to say with reference to any country, because deep in my own heart what I am trying to do is to pass the very best piece of legislation I can to help America, and America only. [Applause.] Some have said this would hurt this country, some have said it would hurt the other country. Someone has well said, I think with the distinguished gentleman from California [Mr. Izac], the emergency is now here. If all signs do not fail we are on the brink of another holocaust, another world war. The question is simply this: Shall we junk the neutrality legislation that we passed just as another war breaks out, or shall we give it a trial? This is the question.

Mr. TINKHAM. Will the honorable gentleman yield?

Mr. LUTHER A. JOHNSON. I am happy to yield to the distinguished gentleman from Massachusetts.

Mr. TINKHAM. Will the honorable Representative from Texas explain in any detail whatsoever, or in any way, how shipment of arms to Europe, to the warring nations, is going to be helpful to peace for the United States?

Mr. LUTHER A. JOHNSON. I answer the gentleman's inquiry by asking him the reverse of his question: How will the shipment of arms help to get us into war? Can the gentleman tell me how the sale of arms or the sale of any other commodity will get us into war?

Mr. TINKHAM. It seems to me there is a commitment on us if we do it.

Mr. LUTHER A. JOHNSON. If we sell to all countries alike, there is certainly no commitment.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. My time is limited, but I yield.

Mr. VORYS of Ohio. The distinguished gentleman from Texas has been a member of the Committee on Foreign Affairs for many years. We have on our statute books now a law that has been in effect for 30 years, since 1909, consisting of a number of sections defining offenses against neutrality.

We have another law consisting of a number of sections enacted in 1917 dealing with neutrality and another one in 1922, together with an amendment to the 1922 law passed in 1930, all of them being laws which deny certain rights to American citizens in order to keep us out of war. The gen-

tleman from Pennsylvania said he wanted the slate clean. Can the gentleman, from his vast experience, tell us why he failed to include in his repeal all of these laws which the experience of three decades has left upon our statute books to keep us out of war?

Mr. LUTHER A. JOHNSON. I assume it was because of the haste in which the amendment was prepared. The gentleman probably did not have the opportunity to search the statute books to find out that all of these laws had been on the books for so long a period of time.

Mr. Chairman, if this amendment is adopted here is what will happen. We have the National Munitions Control Board, that every witness who appeared before our committee commended. That is a permanent institution and both in peacetime and in wartime before any shipment of arms may be made the manufacturers have to get a permit. Registration of all shipments is had so that the Government may keep in touch with what is happening and being shipped. It has been a very effective board. Under the pending amendment that National Munitions Board will be junked.

We have also a provision of law by which credits to warring nations are excluded. Does any Member of this House now believe that the American people want us to again finance foreign wars, lend money to foreign governments with which to carry on war? If you do not believe that, then you ought to vote against the pending amendment.

Someone said it was not because of this or that or something else that we got into the World War; that it was because of propaganda or because of economic conditions. We got into the World War because of certain conditions that happened, certain offenses that were committed against our citizens and against our citizens' property that inflamed the passions of our people and led us into war.

This resolution and the neutrality laws we have heretofore passed are the result of the experiences of the World War and eliminates some of those things that might cause our people to become inflamed, thereby involving us in another war. It is said that we cannot foresee what conditions may rise in another war. We can foresee that there is an ocean intervening between us and warring nations. We know there will be the transportation of goods between our country and foreign nations. We know that the title to all those goods will be transferred before those goods are shipped. This will eliminate the danger of aggression to our citizens in the shipment of their goods in time of war. [Applause.]

[Here the gavel fell.]

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I rejoice at the introduction of this amendment by the gentleman from Pennsylvania. It is something I have been hoping for for 4 years. I believe it offers the only sound solution to this difficult problem of the management of our foreign relations.

Yesterday I endeavored to point out the utter impossibility of the Congress ever writing down a rule of conduct, binding and inflexible, which could be expected to meet the emergencies of the future. Those emergencies are bound to vary to an extraordinary degree. I shall not enlarge upon that subject just now.

Mr. Chairman, I am for the pending amendment, first, because it will restore the management of our foreign relations to an orderly, constitutional process. Today that management has been distorted, and I am not saying this in criticism of the present occupant of the White House. I am saying it, rather, in criticism of the tendency. Today that process has been distorted by the action of the Congress in delegating to the President, no matter who he may be, powers outside his constitutional limitations, powers extraconstitutional in character. I endeavored to call the attention of the committee yesterday to the fact it was

utterly impossible to draw a neutrality act which does not confer discretionary powers upon the occupant of the White House.

We have had a discussion here this afternoon of the first section of this bill, and apparently no two of us have agreed as to what the power of the President should be with respect to declaring that a state of war exists. In the very first section of this bill we find that impossible situation, a situation which of course must result in an enormous increase in the power of the Executive, whether he asks for it or not, and I doubt very much that he asks for it.

If we wipe out, as the term has been used, the neutrality acts now upon the statute books and refrain from enacting additional neutrality acts, what will be the situation? The President will exercise his powers under the Constitution, just as everyone of his predecessors have exercised them. One gentleman spoke here today and said that if we go back to so-called international law and wipe out these neutrality acts, we will thereby enhance and increase the powers of the President. That is exactly not so. We are returning the office of President and its functions to its constitutional field and when we do that we, by the same degree, restore to the Congress of the United States its proper function in its connection with foreign relations.

Mr. BLOOM. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from New York.

Mr. BLOOM. With reference to the Constitution, international law is nothing else than the law of nations. When we do that you come right back to the Congress, as originally planned in the Constitution, to make the laws under such circumstances.

Mr. WADSWORTH. I desire to distinguish between the Constitution of the United States and international law. There is no connection between them, none whatsoever. International law represents the ideals of civilization, an attempt of human beings down through decade after decade to restrict the horrors of war and to do so by asserting the rights of neutrals. But that has nothing to do with the Constitution of the United States, in which international law, so-called, is not mentioned.

Mr. BLOOM. The laws of nations are.

Mr. WADSWORTH. The Constitution confers certain powers upon the President and certain powers upon the Congress. Until we passed the so-called Neutrality Act there was no attempt to create an unbalance as between those two powers. So I say that if we will face the truth in this matter and cast aside all these wild dreams of being able to write a rule of conduct to suit a situation which is utterly unpredictable, and return to orderly processes, we will be walking along the road of safety for our Nation. There never was a safer ark of the covenant than the Constitution of the United States.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman yesterday made a very powerful presentation with regard to freedom of action of Congress. I hope the gentleman will refer to that.

Mr. WADSWORTH. At the expense of being repetitious, let me remind you that every time you adopt a rule which is to bind us in the face of future events you are by that much tying the hands of the Government and the people of the United States. Every time you adopt a rule that under certain circumstances such and such shall be done, although

you can never anticipate what those circumstances will be, you have taken away from the Government of the United States a degree of freedom of action. Freedom of action is our one safe road, freedom for the President and the Congress, acting together, to determine our course in the face of an emergency, freedom to determine what is best for our country. When you retain that freedom you are walking the road of safety.

That has been my contention from the beginning of this whole discussion. When you depart from that you have gone off into a field speculative in character. No one knows where you are going, and before you know it you will get in trouble. Why can we not trust ourselves? Why can we not trust the Congresses and the Presidents of the future to meet the crises which may overtake them, in the interest of this country, untied and untrammelled.

You pass neutrality acts such as this one and the others preceding it and, as has been intimated upon this floor, there is something in each one of them which is regarded as unneutral, and you are placed upon the defense before you start. It has been said again and again in the debate upon this floor that such and such a provision will help two of the nations abroad and that if you leave it out it will help two other nations abroad. Why talk about who we are going to help? That is not the point. Let us not talk in any such fashion at all. Let us not adopt rules which will be open to suspicion, and these rules are already open to suspicion. Abolish the rules, and do what is best for your country. [Applause.]

Mr. BLOOM. Mr. Chairman, I should like to ask the gentleman from New York what he considers a proper time for debate on this amendment?

Mr. FISH. I should think 1 hour.

Mr. BLOOM. Mr. Chairman, before we agree on a limitation of time for general debate, let us find out the number of gentlemen in the Committee of the Whole who wish to speak.

The CHAIRMAN. The Chair requests that, as he calls the following names, gentlemen as their names are called will be seated, because the reading of this list will indicate that the Chair has their names here.

Mr. FADDIS, Mr. JARMAN, Mr. GREEN, Mr. BURGIN, Mr. BELL, Mr. PATRICK, Mr. ARNOLD, Mr. MASON, Mr. CRAWFORD, Mr. McDOWELL, Mr. SCHIFFLER, Mr. REED of New York, Mr. HAWKS, Mr. JONES of Ohio, Mr. HINSHAW, Mr. BREWSTER, Mr. ROBSON of Kentucky, Mr. TINKHAM, Mr. BENDER, Mr. KEEFE, Mr. VAN ZANDT, Mr. KLEBERG, Mr. MASSINGALE, Mr. MOSER, Mrs. ROGERS, of Massachusetts, Mr. STEARNS of New Hampshire, Mr. CLASON, Mr. CREAL, Mr. BARTON, Mr. SHANLEY, and Mr. BLOOM.

The Chair may state that, whatever time is fixed for debate, the time will be divided equally among the Members whose names appear on this list.

Mr. BLOOM. Mr. Chairman, may I ask how many names are on the list?

The CHAIRMAN. Thirty.

Mr. BLOOM. Mr. Chairman, I move that all debate on the pending amendment close in one hour and a half, the time to be equally divided among the gentlemen whose names have been read by the Chair.

The motion was agreed to.

The CHAIRMAN. Under the limitation of time, the Chair having indicated the number of Members who desire recognition, the time allotted each Member will be 3 minutes.

The Chair recognizes the gentleman from Florida [Mr. GREEN] for 3 minutes.

Mr. GREEN. Mr. Chairman and my fellow Members, America stands alone. In our national-defense requirements, in our economic future, in our industrial stability, and in practically everything, our Nation stands alone. The American development, progress, wealth, and enterprise generally is envied by many foreign nations. This neutrality bill is the most important piece of legislation which has been before this Congress. It is one requiring our most thoughtful study and conscientious effort. I warn you that the time is rapidly



approaching when you and I will realize fully that America's security in every way is America's responsibility and that we cannot depend upon help, aid, or assistance from abroad.

I would call the attention of my colleagues to the debts owed our Government by the foreign governments. As of March 1, 1939, this debt stands as follows:

*Statement showing total indebtedness of foreign governments to the United States, Mar. 1, 1939*

Country	Total indebtedness	Principal unpaid <sup>1</sup>	Interest postponed and payable under moratorium agreements	Interest accrued and unpaid under funding and moratorium agreements
<b>Funded debts:</b>				
Belgium	\$440,080,212.01	\$400,680,000.00	\$3,750,000.00	\$44,650,212.01
Czechoslovakia	165,729,490.80	165,211,108.90		488,381.90
Estonia	20,736,660.17	16,466,012.87	492,360.19	3,778,287.11
Finland	8,248,799.24	8,122,086.44	126,712.80	
France	4,160,824,820.69	3,863,650,000.00	38,636,500.00	258,538,320.69
Germany (Austrian indebtedness) <sup>2</sup>	26,011,672.09	25,980,480.66		31,191.43
Great Britain	5,419,388,374.72	4,368,000,000.00	131,520,000.00	919,868,374.72
Greece	34,068,437.00	31,516,000.00	449,080.00	2,103,357.00
Hungary	2,394,620.70	1,908,560.00	57,072.75	398,987.95
Italy	2,022,745,422.62	2,004,900,000.00	2,506,125.00	15,339,297.62
Latvia	8,546,036.99	6,879,464.20	205,989.96	1,460,582.83
Lithuania	7,650,387.79	6,197,682.00	185,930.46	1,266,775.33
Poland	259,502,346.55	206,057,000.00	6,161,835.00	47,283,511.55
Rumania	63,990,795.60	63,860,560.43		130,235.17
Yugoslavia <sup>3</sup>	61,740,546.89	61,625,000.00		115,546.89
<b>Total</b>	<b>12,710,628,623.86</b>	<b>11,231,083,955.50</b>	<b>184,091,606.16</b>	<b>1,295,453,062.20</b>
<b>Unfunded debts:</b>				
Armenia	23,303,395.87	11,959,917.49		11,343,478.38
Nicaragua <sup>4</sup>	385,372,179.65	192,601,297.37		192,770,882.28
Russia				
<b>Total</b>	<b>408,675,575.52</b>	<b>204,561,214.86</b>		<b>204,114,360.66</b>
<b>Grand total</b>	<b>13,119,304,199.38</b>	<b>11,435,645,170.36</b>	<b>184,091,606.16</b>	<b>1,499,567,422.86</b>

<sup>1</sup> Includes principal postponed under moratorium agreements and principal amounts not paid according to contract terms.

<sup>2</sup> The German Government has been notified that the Government of the United States will look to the German Government for the discharge of the indebtedness of the Government of Austria to the Government of the United States.

<sup>3</sup> This Government has not accepted the provisions of the moratorium.

<sup>4</sup> The United States holds obligations in the principal amount of \$289,898.78, which, together with accrued interest thereon, are to be canceled pursuant to agreement of

Apr. 14, 1938, between the United States and the Republic of Nicaragua, ratified by the United States Senate on June 13, 1938.

NOTE.—Indebtedness of Germany to the United States on account of costs of army of occupation and awards under Settlement of War Claims Act of 1928, as amended, not shown in above statement, but discussed on p. 29 and following.

The enormous amount of \$13,119,304,199.38 is the grand total of the amount of total indebtedness today, or rather, of March 1, due our Government by foreign nations. If we now had this money paid to our Government, think of the economic security this would mean to us. The payment of this large amount of cash in the Federal Treasury at this particular time would bring to the American people untold prosperity and economic security. This vast sum represents actual money and materials which our Government has furnished to these foreign nations. You will note the significant thing also that \$11,435,645,170.36 is the unpaid principal.

I hope you will not confuse this foreign debt with the other costs incurred by the American Government and American people on account of the World War. I am confident that \$40,000,000,000 would not cover the actual cost to America of the World War. I would ask of you, what are these foreign countries now doing to enrich America and to help our Government or our people as such? To the contrary, they are looking out for themselves and their own peoples and annually spending huge amounts for armaments and their own security. If these foreign governments, the most of them, would pay to America even 25 percent each year of what they are now expending for armaments and war preparation, their debts to us would soon be retired. Apparently they are not thinking of paying us, but, to the contrary, are arming to the teeth to defend themselves in the future against all comers. This makes it more evident to us that America stands alone and cannot depend upon assistance from foreign nations.

Little Finland, I believe, is the only one which is meeting its obligations. This, one of the weakest of all the debtor nations, has paid us as follows:

Dec. 15, 1932	\$58,000	\$128,235.00	\$186,235.00
June 15, 1933		148,592.50	148,592.50
Dec. 15, 1933	62,000	148,592.50	\$19,030.50
June 15, 1934		147,507.50	19,030.50
Dec. 15, 1934	62,000	147,507.50	19,030.50
June 15, 1935		146,422.50	19,030.50
Dec. 15, 1935	65,000	146,422.50	19,030.50
June 15, 1936		145,285.00	19,030.50
Dec. 15, 1936	67,000	145,285.00	19,030.50
June 15, 1937		144,112.50	19,030.50
Dec. 15, 1937	69,000	144,112.50	19,030.50
June 15, 1938		142,905.00	19,030.50
Dec. 15, 1938	71,000	142,905.00	19,030.50

In addition to the thirteen-odd billion which is mentioned, Germany is due the United States a war debt total of 508,687,731.45 reichsmarks. This figure is of March 1, 1939, at which time I believe a reichsmark was valued at some 40 cents American money. What is Germany now doing toward paying the debt due our Nation? I believe it is well known by all of us the rampant dictatorship and militaristic fervor which now permeates all Germany and how this Nation is now taking within its iron grip small, weaker states.

It is quite interesting to know that Italy is due our Government well over \$2,000,000,000. What has been its history over the past 2 or 3 years—killing Negroes in north Africa and overrunning Spain. These nations have money for armaments but not money to pay the United States. It is significant that France is due the United States almost four and one-quarter billion dollars. Do we hear of any proposal being made by these nations to settle up these war claims to our Government? I have not heard of such, but I am soon expecting these nations to make overtures to our Government with the ultimate hope of getting from our Nation loans and assistance.

Such materials as are sold to foreign nations—war materials or otherwise—should be sold strictly on a cash-and-carry basis. They should be compelled to put the money on the barrel head before the supplies leave American shores.

It is my belief that our Nation should stay far and apart from foreign turmoils, interferences, and local wars and involvements. We are a young, progressive, new nation. Our Nation has been built through liberality, frugality, perseverance, Christianity, and patriotism. We cannot and do not understand the various and several hatreds, feuds, and disagreements existing as such between foreign nations. By these nations' very history and traditions, they have inbred likes, dislikes, fancies, and hatreds. We have not lived with them in these traditions and in their history. We do not understand their inbred feelings, one toward the other. We never will, and I, for one, do not desire to do so. Likewise we have no business trying to interfere with their quarrels and fights and sticking out our necks to be chopped off to help or hinder any of them. I earnestly hope that our

Nation may never again become involved in their turmoils, feuds, and wars.

The Monroe Doctrine proclaims the Western Hemisphere as ours, and I believe our responsibility reaches as far, and only as far, as the Monroe Doctrine proclaims. At the present time, at least, it is not evident that any foreign nation plans to come over and try to take America. When and if this should become apparent, then is the time for us to defend to the last man and last dollar our American homes and rights.

Many of these foreign nations are adequately able to pay their debts to America. Let us take, for instance, Great Britain, with its far-flung possessions upon which the sun never sets. Let us see what it has in the Western Hemisphere.

The British colonial possessions in the Western Hemisphere are—

Newfoundland and Labrador: Newfoundland, an island on the northeast side of the Gulf of St. Lawrence; area, 42,000 square miles; population (1935), 284,844. Labrador, situated on the northeast coast of the American Continent; population, 4,264.

The Bermudas: A group of about 300 small islands lying approximately 580 miles to the eastward of Cape Hatteras, North Carolina; area, 19 square miles; population (1931), 27,789.

West Indies: Bahama Islands, a group of islands situated east of Florida; area, 4,375½ square miles; population (1931), 59,828. Barbados, the most easterly of the Caribbean Islands; area, 166 square miles; population (1937), 190,939. Jamaica and dependencies, an island in the Caribbean Sea south of the eastern extremity of Cuba; area, 4,450¼ square miles; population (1921), 858,114; Cayman Island, Turks and Caicos Islands, dependencies; area, 89 square miles. Leeward Islands, southeast of Puerto Rico; total area, 708 square miles; total population (1937), 142,063. Windward Islands, three islands south of Leeward Islands: St. Lucia, area, 233 square miles; population (1937), 67,404; St. Vincent, area, 198 square miles; population (1931), 47,961; Grenada, area, 133 square miles; population (1937), 88,201. Trinidad (and Tobago), an island 16 miles east of Venezuela; area, 1,862 square miles; population (1931), 387,425; Tobago, area, 116 square miles; population (1931), 25,358.

British Guiana: Situated on the northeast coast of South America; area, 89,480 square miles; population (1937), 337,039.

British Honduras: Situated on the east coast of Central America; area, 8,598 square miles; population (1931), 51,347.

Falkland Islands: Situated in the South Atlantic Ocean, 480 miles northeast of Cape Horn; total area, 4,618 square miles; population (1931), 2,392.

#### FRANCE

Now what are the French possessions in the Western Hemisphere?

They are—

St. Pierre-Miquelon: Two small groups of islands south of Newfoundland; total area, 93 square miles; total population (1936), 4,175.

Guadeloupe and dependencies: A group of islands in the Lesser Antilles; area, 688 square miles; population (1936), 304,239.

Martinique: Situated south of Guadeloupe; area, 385 square miles; population (1936), 246,712.

French Guiana: Situated on the northeast coast of South America; area, 34,740 square miles; population (1936), 30,906.

Now, would it not be equitable and just for these two great powerful nations that, combined, owe us some two-thirds of the foreign war debt, to cede to the United States sufficient of their Western Hemisphere lands and possessions to justly settle these debts? The United States has for a long while been very desirous of a great super highway connecting Alaska with the Northwest of our great country. As chairman of the Territories Committee of the House, for the past several years, I have been deeply inter-

ested in a project of this kind but we have been unable to work out a satisfactory agreement even for a right-of-way from the State of Washington to Alaska. How appropriate it would be for Great Britain to cede to the United States a strip of territory of, say, 100 miles width, reaching from the State of Washington to the southern end of Alaska. Also, would it not be very appropriate for Great Britain and France to cede to the United States, British and French Guiana, South America, in order that the United States could more surely perfect its just rights in industrial and trade life of the South American republics? Would it not be indeed appropriate for the Bahama Islands and Trinidad together with other islands in the Caribbean Sea to be permitted to fly the American flag and be a part and parcel of the United States?

I call on the Foreign Affairs Committee and the State Department and the treaty-making legislative branch of the Congress to give consideration to these matters to the end that these just debts may be settled for the betterment of all nations concerned. No; I am not advocating a war in an effort to collect these debts. These debts are not worth a world war. No just monetary value can be placed upon the life of men. When war comes, men die. I would not advocate a war to collect these debts but I do believe that super-statesmanship and diligent effort may be able at this critical time in the history of the world to work out a solution to equitable and just agreement and settlement of many of these foreign debts. I urge my colleagues to have these matters uppermost in mind in connection with the bill before us today. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks and to include therein the matters referred to by me.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JARMAN. Mr. Chairman, I find myself in thorough agreement, and cannot fail to so state, with every word uttered by the distinguished gentleman from South Carolina [Mr. RICHARDS] and the distinguished gentleman from West Virginia [Mr. KEE] in their expressions of surprise that this amendment came as it did this afternoon.

I will admit that the distinguished gentleman from Pennsylvania [Mr. ALLEN], for whom I have always had a very high regard, stated to us this morning that he insisted on doing it over our protest, but I just did not believe he would carry out that intention until he did it. He and the gentleman from South Carolina and myself have several times cast votes contrary to the normal Democratic vote in the committee—that is, we have decided minor questions in favor of the other side of the aisle—but after having reached a decision there, the able gentleman from South Carolina and I did not change.

The gentleman stated that the passage of this neutrality law was not being honest with the people. I would like to know when was he honest with the people back yonder in the committee or in introducing this amendment here today? He said it was because of a changed sentiment since that time. If we are to legislate here on changes of sentiment, every time we are deluged with a bunch of propaganda or by pressure efforts—if we are to legislate in that way, changing day after day, with the daily changes of sentiment, I am sorry for the country. [Applause.]

The gentleman spoke of international law having come about through the experience of the ages, and yet after 2 or 3 months of conference he wishes to change this entire bill here this afternoon on the floor of the House. If it passes in this House this afternoon—time does not permit me to go into it, but I wish to go on record as saying and calling your attention to what happens if it passes today in Committee and fails in the House tomorrow—it will no more accomplish what some people who are for it think it will than anything in the world. Wait and see when we get back into the House. [Applause.]

[Here the gavel fell.]



Mr. STEARNS of New Hampshire. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN], and rather than use words of my own, I should like to place before the Committee the words of another which express my thoughts most effectively.

Lest I be cut off at the end, I would say to begin with that it is no munitions maker who writes these words. This is no Anglomaniac, this is no administration "yes" man; it is Prof. Philip Marshall Brown, professor of international law at Princeton University, and one of the editors of World Affairs, the organ of the American Peace Society, the oldest and most distinguished peace organization in this country:

ON BEING NEUTRAL

Although the United States has done more than any other nation to establish and simplify the law of neutrality, the subject of late has become increasingly obscured. The fundamental reason for this confusion of thought is to be found in the conflicting policies advocated by various groups. There are many who hold that the experience of the World War proves that it is practically impossible to assert and maintain neutral rights without ultimately resorting to war. They would virtually abandon all claims to neutral rights and either withdraw into an armadillo kind of isolation or openly take sides against an "unjust aggressor." Those who want peace at any price have sought by so-called neutrality legislation to determine in advance the policy to be followed by the United States in time of war. This legislation has resulted in unanticipated anomalous situations with respect to the Spanish civil war and the war between China and Japan.

There are those who talk of coercive "measures short of war" to be used by a neutral nation against an unjust aggressor, in the strange belief that the latter will not eventually strike back with warlike measures. This group of Americans has a large number of distinguished adherents. Whatever the arguments they may invoke in support of such a policy, one thing is perfectly clear—it is not neutrality.

As between those who would supinely abandon neutral rights and those who would take sides openly because they believe neutrality to be either impossible or shameful, there would seem to be a respectable middle course for those honest and reasonable people who believe that the way to be neutral is just to be neutral. With his good common sense, President Washington saw this clearly, and a long line of court decisions and able state papers have developed perfectly logical and clear principles of neutrality. The World War did not demonstrate so much their futility as their need of adaptability to changing conditions of warfare.

The main principles of neutrality have been succinctly summarized under the captions "Abstention," "Prevention," and "Acquiescence." A neutral nation will not merely be impartial but will sedulously abstain from taking sides in any way whatever. It will do all in its power to prevent its territory being used for unneutral purposes. It will acquiesce in certain restrictions on peacetime intercourse which the exigencies of war may impose. If a neutral nation holds that its rights have been infringed, it does not have to go to war in their immediate defense. A right need never be sacrificed simply because redress cannot be had at once. That is not the way law works, and international law is no exception, as was demonstrated in the settlement of the "Alabama claims" by Great Britain by the payment of \$15,500,000 to the United States.

These simple and sane principles of neutrality have been elucidated by the rule of reason in numerous instances. They would seem to be better bases for national policy than the intricate kind of so-called neutrality legislation of recent years. No matter how distrustful Congress may be of the Executive power, it cannot take on itself any full responsibility for the conduct of foreign relations or share the responsibility for diplomatic negotiations. The movement back to normal neutrality would seem therefore to be entirely in accord with the dictates of common sense and in harmony with over 140 years of experience. The United States would still be free to retire like an armadillo into a fancied isolation if it so desires, to adopt "measures short of war," or to side openly against an unjust aggressor. It would be free to abandon rights of neutrality or to claim, assert, maintain, and ultimately to vindicate its rights. In any event, under these well-tested rules, the course of action would not be rigidly prescribed in advance, and representative government would still be able to draw upon the best judgment and precedents available to reach a sound decision concerning the attitude the United States should take in time of war.

[Here the gavel fell.]

Mr. STEARNS of New Hampshire. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include the balance of the article read by me.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. PATRICK. Mr. Chairman, at last, after 3 hours' constant effort, I am on my feet.

I am going to still support the Committee, even though it worked us out of time we would like to have had.

Mr. Chairman and members of the Committee, in a neutral matter of this kind several things present themselves differently from our approach to other matters on legislation applying within our native confines, but let us not try to find any solace in the idea of falling back on international law. International law stands today as a ship without an anchor and a vessel without a captain, so far as the United States is concerned.

I am going to support the Committee and oppose this amendment because the amendment would throw us right back onto international law, which would mean destruction so far as our being able to anchor to anything definite and secure is concerned. We are the outstanding power Nation and leading unit of the Western Hemisphere, with all its responsibility; can we not say something? Are we able to stand on our own feet and lay out certain rules and measures—and surely nothing more intelligent or needful could be prescribed than that which is set out in the measure before us today—and listen to me, please. Let us not forget that when we move to the scope of international activity in commerce and behavior, it is a different matter from our usual actions here. Let us not get disturbed, then, about the power one man must employ, because when we move into international relations, then we are a unit, not Democrats or Republicans, but a people are we. We can all be concerned here at home when we are passing laws for this Nation about the power we give to the President, and everything like that, but regardless of whether the Democrats are in power or the Republicans are in power, or whoever is President, we have got then to unify ourselves under the head as one Nation, and then there is one other thing to be considered, and that is that this is a moving figure and if we can pass a constructive neutrality law, it must be made to fit a changing picture, a moving figure that will follow and support a reshaping of things. Therefore, we must set out by allowing the President to meet stipulated circumstances and issue a proclamation, let the enforcement of the law begin and then let that judgment hold forth, and by no other means and by no other system and by no other measure that has yet been conceived can any kind of neutrality law ever hope to be effective. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Massachusetts [Mr. CLASON] is recognized for 3 minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] is recognized for 3 minutes.

Mr. MASON. Mr. Chairman, and members of the Committee, I was one of 13 in this House who voted "no" on the 1937 neutrality bill which is now the law. I have never regretted that "no" vote of mine. It was one of the first votes I cast in this House. I voted "no" on that bill because, as I said then, I felt that the provisions of that bill would tend to drag us into war rather than keep us out of it. I have had no reason to change my mind during the last 2 years. I am opposed to the Bloom bill for exactly the same reason. I feel that the provisions of this bill will tend to entangle us rather than keep us free if the bill becomes law. I am for the Allen amendment. I am for it because I believe it would restore in this Nation the proper constitutional balance between the executive department and the Congress on war matters. I think that is the essential thing we should do. I do not believe that this Congress is playing fair with the people of the Nation when they cause them to believe, as they have caused them to believe in past years, that by the passage of a law, we can keep this Nation from becoming entangled in other quarrels. It cannot be done. It is time for us to confess to the people of this Nation that we cannot do that by law. By the passage of so-called neutrality bills, we are really telling the people of this Nation to pull the ostrich act of burying its head in the sand, and thereby believe that we are out of danger. That is the situation these neutrality laws bring about. We have been at fault in this matter. I think we cannot and should not tie the hands of the officials of this Government and prevent them from acting as circumstances warrant when occa-

sion arises. The passage of any neutrality act does that thing. We should certainly repudiate the neutrality acts that have failed, that we have been foolish enough to pass in the past, and reinstitute a constitutional balance of power. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FADDIS] is recognized for 3 minutes.

Mr. FADDIS. Mr. Chairman, in enacting legislation of this or, of course, of any other kind, we are attempting to produce something for the use of this Nation, for the protection of, and for the service of our interests as they may appear in connection with any situation.

On page 15 of the Bloom bill, line 7, is the heading, "Repeal of acts of 1935, 1936, and 1937."

I should think that would be sufficient reason in the mind of any clear-thinking man on this committee today to support the Allen amendment.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. HOUSTON. I just want to bring this out as a matter of record, that in the event the Allen amendment is agreed to, that does not repeal the so-called Johnson Act.

Mr. FADDIS. No; it does not. It will still prevail.

I should think that the fact of the admission in the Bloom bill itself that three times this committee and three times this Congress have acknowledged themselves unable to enact legislation along this line would be sufficient to convince anyone that the Allen amendment should be adopted.

Three times this committee has tried, three times this Congress has tried to write legislation for the protection of the interests of this Nation in times of emergency, and three times they themselves have admitted that they are impotent in this respect. With this in front of us as an example, have we any reason to believe that we can do any better today than we have done in the past? Every man knows that the original legislation in 1935 was enacted against the sound judgment of practically every Member who voted for it; that it was enacted in response to the hysterical demand from this Nation that legislation of this kind be enacted. Now, it is time for the Congress to meet the country fairly and squarely and acknowledge that they themselves have learned the absolute impossibility of legislating a policy for this Nation to follow in situations which are as yet unknown and which must continue to be unknown until they arise. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from North Carolina [Mr. BURGIN], is recognized for 3 minutes.

Mr. BURGIN. Mr. Chairman and ladies and gentlemen of the Committee, this amendment offered by the gentleman from Pennsylvania [Mr. ALLEN] has my sympathy. The fact of the matter is, I feel, that that is the thing, perhaps, that ought to be done; but under the circumstances I shall vote against it for the reason that I feel the people as a whole back in our different districts are not yet ready for it. In my district they have felt for the last 3 or 4 years that the neutrality legislation passed by this House is a measure trying to prevent America from getting into another war. I think that this suggestion has lodged in the heart of my friend, Mr. ALLEN, and in my heart and in the hearts of a number of other people. The profound address of the gentleman from New York, Mr. WADSWORTH, and the gentleman from Connecticut, Mr. SHANLEY, and the gentleman from New Jersey, Dr. EATON, a member of our committee, were very convincing, but I ask you to consider the question whether the people in our different districts are ready for this. Perhaps it was a mistake in the beginning. I am not saying that that is my opinion, but perhaps it was a mistake to ever enact a neutrality law at all. However, we have a neutrality law on the books and the people as a rule do not know much about it. I do not know much about it. I have been a member of this committee for 6 months. I have heard neutrality talked, I have slept with neutrality, I have

eaten neutrality, and I know very little about it yet. I think that is the same thing with the country at large.

In this House we have heard a great deal about the Bloom bill.

I make no criticism of anybody who has criticized the Bloom bill. It amends the present law, ameliorates it, probably lessens its more rigid provisions, and perhaps the best thing to do at this time is to pass the bill the committee has brought in, leaving it to some future Congress to correct it entirely. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Connecticut [Mr. MILLER] is recognized for 3 minutes.

Mr. MILLER. Mr. Chairman, I say frankly and in all sincerity that I am heartsick at the thought of even the possibility that this House would seriously consider repealing all neutrality legislation.

Mr. FISH. Mr. Chairman, will the gentleman yield for just a moment?

Mr. MILLER. I yield.

Mr. FISH. I call attention, Mr. Chairman, to the fact that the gentleman from Connecticut [Mr. MILLER] is one of the most distinguished veterans of the World War, a man who knows what he is talking about, because he suffered in that war. [Applause.]

Mr. MILLER. Mr. Chairman, I cannot yield further for that.

Mr. FISH. He is about to make a direct appeal to everyone in this House. [Applause.]

Mr. MILLER. Mr. Chairman, I do not want to inject my own personality into this, but I do say that the veterans of the World War united in an organization at the end of the war and, as was pointed out by the gentleman from California [Mr. IZAC], studied this question of neutrality and year after year passed resolutions in their national conventions asking for neutrality. They still want neutrality. They want our present act perfected, not annihilated. If the people of this country thought for one minute that here this evening we were going to wipe out all neutrality legislation, our mail would be heavier in the next few days than it was during the well-known Supreme Court fight of the last session. [Applause.] I have received hundreds and hundreds of letters asking for neutrality legislation, but not one asking that we repeal the present neutrality law. No proponent of the Allen amendment has stated on the floor of this House—nor will he contradict the statement—that if we were to wipe out existing neutrality law we would be right back where we were in 1914.

Over yonder on the hills of Arlington and in the cemeteries across the sea lie thousands of victims of international law, who, if they could, would raise their voices against the proposed Allen amendment to wipe out all existing neutrality legislation. If in the period from 1914 to 1917 we had had on our statute books even the present neutrality law, I believe President Wilson would have enforced the law and that we would not have participated in the World War.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. MILLER. I yield.

Mr. ANDREWS. Referring to the gentleman's statement, would he not agree that today, as in 1914, the power to declare war still rests with the Congress of the United States?

Mr. MILLER. The power to declare war, yes; but not the people who could involve us in a war, numerous American citizens and international bankers. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Oklahoma [Mr. MASSINGALE] is recognized for 3 minutes.

Mr. MASSINGALE. Mr. Chairman, I am opposed to the amendment offered by my friend from Pennsylvania because I believe it will not satisfy the wishes of the American people to revert to international law if, indeed, as suggested by my friend from South Carolina [Mr. RICHARDS] there is any international law to revert to. What we ought to do and what we should have done from the beginning is to come



clean about neutrality and not engage in political bunk. That is all we have been feeding the people. They have had no neutrality law, and we ought to have told them that they did not have any. The law we are now operating under is no neutrality law. I doubt very much if it is within the ability of Congress to draw a neutrality law that has any force or effect. The effect of any law we can pass in Congress and label neutrality is simply an expression to the President of what Congress thinks should be his course of conduct in case this country be in danger of involvement in war with another government. That is all it means. The Constitution of the United States and the Supreme Court of the United States have declared the power of the President of the United States to be supreme when it comes to such matters as this. What difference does it make if we get up here simply for the purpose of trying to prejudice somebody for or against the President of the United States and talk about giving him additional power? He has all the power he wants. The trouble is that we are trying to put something over on the American people, trying, some of us, to beat down the ears of the President of the United States in the esteem of the people of this Republic. Why, the people have more confidence in the President of the United States and in his statesmanship, and ability, and Americanism than they have probably got in all of this Congress put together. They elected him but they did not elect each of us to assume the leadership or to make the policy for the Government of this country. [Applause.]

So much misinformation has been disseminated about neutrality that the people really believe we have a neutrality law that will keep the United States out of war. We have no such law and never did have. True, the people of the United States want such law and, I say, despite the Constitution and the holdings of the Supreme Court of the United States we, as the Congress, ought to express ourselves so strongly against the doing of anything by the President or the Secretary of State that would endanger involving this country in war that these gentlemen would heed and follow the wishes of Congress. Such provisions in the proposed law as forbidding loans to countries at war, prohibiting shipments of arms and munitions, and so forth, in American vessels, forbidding travel of Americans in war zones, and denying to warring nations the use of our ports for their ships should become the law of this land and, if so, it will greatly lessen the danger of our own involvement. We should stay at home and not jump into the rows and troubles of Europe. We may have our sympathies for or against any other nation, but let us not make the mistake of letting our people or our banks furnish money or credit to any European country that may be involved in war. We have plenty to do if we look after our domestic affairs. We should be busy taking the inequality out of some of our laws and not too much concerned over Europe. Personally, I am convinced that the best service we are capable of rendering our own country is to turn our hearts and minds to consideration of America. Make sure that no American is hungry or in need of the essentials of life and there will not be danger of war. Our people want peace, Congress wants peace, the President wants peace, and I think the thing to do is to keep the most helpful features of the present Neutrality Act and extend it so it will be of more effect as an effort to keep us out of war.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized for 3 minutes.

Mr. REED of New York. Mr. Chairman, in the very brief minutes allotted me, and they are all too brief, I want to remind the House that 22 years ago this fall I stood at Fort Seville, near the city of Verdun. There I saw 7 miles swept absolutely clean of every vestige, every shrub; every living thing was gone. It had been plowed over with explosive shells. Artillery was then firing. The commander of that fort told me that at one time at the peak of the drive against that particular section, the city of Verdun,

that the troops came on and on and fell in such numbers that they could not climb over their own dead.

I think not many people have gone over a battlefield following a war, and I want to tell you while you are discussing this bill something about the realities of war.

Until 1932 ten cartloads of skulls and bones were taken to the building established to hold the bones of those who died on that spot. Just over beyond is a valley where you can see a hundred thousand little crosses that has been a place of pilgrimage for the mothers of the soldiers who died there. You can see them kneeling there day after day, praying that there shall never be war again. This includes the German mothers, as well as the French mothers, and others who have gone here. I say to you that is war. The mothers of this country at this very minute are in jitters fearing this Congress or this administration will carry us into another holocaust.

Regardless of the high type of statesmanship on this floor, much as I believe in international law, and I would like to see us go back to international law, there is one thing I would never wipe from the statute books and that is the right to say to any nation at war, "we will or we will not sell arms to you. We will embargo if we see fit, whenever war is declared." That is what the people want in this country. Are you going home to these mothers, to these peace societies, these farm organizations, and these parent-teacher associations and stand before them, after you have put on the books something they believe is their protection against war and sending their boys to war, and say that you voted for this amendment to wipe it out? They still have confidence in that neutrality act.

Mr. Chairman, I am against the Allen amendment. It should be defeated. I do not want to see this House misled today. I want to see you vote that amendment down. I am against the Bloom bill also and, when a motion is made to recommit the bill, if it is made, I shall vote to recommit the bill to the committee and let that committee take time to give this subject further study. We are at peace with all the world. Let that committee take time to plumb this question down to its very depths, then bring in here something sane and sound that will protect the people just as far as human fallibility will permit. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. HAWKS].

Mr. HAWKS. Mr. Chairman, I have not spoken on the pending bill because I do not assume to be an authority on international law nor upon neutrality; but I would like to remind the Members of the House of the letters that have been received from the folks back home demanding that this Congress pass a neutrality act. Right or wrong, the folks back home want us to do something. There is not a man in this House who is in position to ignore the demands of the people who sent him down here. If your folks want a neutrality act, it is not your business to tell them you are not going to give them one. It is not your business to tell them that you are going to put this country back on the basis of international law. International law in their minds means just one thing: It means 1914, it means 1917, it means graves in France and graves in Arlington; it means heartaches at home; and you and I are in no position to deny those people the things that they want. I want to tell you it is unmistakable that they want neutrality. They have every confidence that the Congress can pass a neutrality act. It may not keep us out of war, it may not do that thing that we all want, namely, preserve peace, but it should make us stop and think. We should be able to pass an act here that will make it harder to get into war and if we have not the intelligence to pass that kind of a law all of us ought to be sent home. We have not any business down here. If you are honest with yourselves as you sit here trying to make up your minds what you are going to do, you should remember one thing. You should remember that the folks back home insist that you do some-

thing definite at this time to put them at peace and give some sense of security.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JONES].

Mr. JONES of Ohio. Mr. Chairman, somebody said that the passage of this amendment will take us back to 1914. I would like to have you consider whether or not this amendment will take us back 150 years. I believe this country would be in better shape if the State Department had drafted a neutrality proclamation for the other end of Pennsylvania Avenue instead of bringing this bill down here before Congress. Bear in mind that the first neutrality legislation was written by George Washington in 1793 after several nations in Europe were at war. He wrote it with reference to a set of facts that were already in existence.

If there is any need today for statesmanship, it is the call for statesmanship at the other end of Pennsylvania Avenue to issue a proclamation of neutrality, with the vision of Washington, with the philosophy and the ideals of a man of Washington's character who is satisfied with the singular honor of being the President of the greatest nation on the face of the earth. With that kind of proclamation and the discontinuance of careless, ill-framed statements of the State Department and the President at every turn of events in Europe the people of America would be reassured of peace.

I am sure the people of the United States are satisfied that the Monroe Doctrine was born under constitutional authority. It kept us out of foreign entanglements then. These examples illustrate how neutrality first took its roots in America. By the constitutional authority for 150 years vested in the President, that I discussed this morning, these proclamations really guaranteed neutrality to our people.

Mr. ALLEN of Pennsylvania. Will the gentleman yield?

Mr. JONES of Ohio. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. Is the gentleman in favor of my amendment?

Mr. JONES of Ohio. I think we should give very careful consideration to this matter in order to bring ourselves to the same position that George Washington found himself in during the year 1793. I am giving the amendment my very careful consideration because the neutrality proclamation of Washington kept us out of that war, it certainly ought to be looked upon as a guiding star for us today.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW] for 3 minutes.

Mr. HINSHAW. Mr. Chairman, the present Neutrality Act has gotten us into trouble in a couple of different ways. We tried to bring its provisions into action once, and what we did was to favor one side of that conflict as opposed to the other side. There is another conflict raging today, that between Japan and China, and as to that the President has not invoked the Neutrality Act, and consequently we are favoring Japan over China.

Mr. BREWSTER. Does the gentleman object to that?

Mr. HINSHAW. I do not want to discuss that at this point. I am talking about the Neutrality Act.

Mr. BREWSTER. The gentleman apparently wants to consider that policy.

Mr. HINSHAW. I have not yielded for that purpose.

I say that it is going to be very difficult for us to draft any kind of a neutrality law that will not do damage to one nation and do good to another. At the same time, this neutrality law, unless it is very rigidly enforced, is going to be very difficult for us to follow. The pending bill is even more unneutral, as I see it, than the existing act, in that there are more discretionary powers granted in it. However, in the first section, paragraph 1, if we perhaps struck out the word "President" and inserted the word "Congress," it would give some responsibility for the actions of the United States to this body supposedly sent here to represent the people. I

believe that we are in confusion badly confounded, and I believe that this whole matter should go back to the Committee on Foreign Affairs for them to make another try at it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KLEBERG] for 3 minutes.

Mr. KLEBERG. Mr. Chairman, I have remained seated in this Chamber throughout the entire period of this debate. I have not had an opportunity to attend the deliberations of the Committee on Foreign Affairs, not being a member of that committee, but I am convinced that in the light of past history the greatest neutrality act this Congress could enact at the present time would be the adoption of the amendment offered by the distinguished gentleman from Pennsylvania [Mr. ALLEN]. [Applause.]

Mr. Chairman, past history would indicate, certainly, if we still have the faith of our fathers and believe in the God of our fathers and in the constitutional form of representative democracy we are pleased to call the Government of the United States, that a greater faith in the Congress of the United States and in the office of the President would give us a greater guaranty of safety and peace than any of the various measures we have considered and enacted into law in the past. I must say at this moment, however, that the bill offered by the committee is, in my candid opinion, a great improvement on the Neutrality Act under which we now function. I cannot believe there could be any device that would effectuate unneutrality more quickly than the section of the present act referring to embargoes.

I shall support the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN]; and if that amendment should fail, I shall support the bill offered by the committee, which, I am sure, has received the best study of the committee. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, it is an extraordinary situation that a bill should be passed by so overwhelming a majority the last time we had the question of arms embargo up here—there was only one dissenting vote in the House, and that vote was cast by the gentleman from Minnesota, Mr. Bernard, who has not returned to this Chamber—and that we should now be told that an arms embargo is altogether wrong. What mysterious influence has operated so completely to change our minds? It is even suggested that a constitutional question is involved, although it is certainly a novel suggestion that the legislation under which we have been functioning without question for 4 years, signed by the President, does not come within the constitutional power of the Congress. It is curious to hear the doctrine seriously advanced that Congress has power to declare war, but has no power to adopt legislation designed to insure peace.

I cannot see that under an arms embargo we will keep out of war. I can say that under international law as hitherto interpreted we did not stay out of the last war. I can point out how almost inevitably we will become involved in the next great conflagration unless an arms embargo is adopted.

Great Britain and France do not possess the gold treasure to finance a single month of war. In one of the great engagements overseas they expended \$600,000,000 worth of ammunition in a single fight, and they have less than \$2,000,000,000 in gold left now.

What does this mean? It means that either we will give them credit or we will take their other goods in pay. Just so certainly as that happens, within a year we will be at the edge of the same abyss we faced in March 1917 when Ambassador Page told us that we would either have to take up arms with Britain or everything was lost. I do not want to see America walk to the edge of that abyss again. I say, let us stand by the considered policy we adopted 4 years ago, and which we have reiterated in each of the incidents that have since occurred, and leave with the Congress and the President under



the present limitation the responsibility of keeping America upon a peacetime economy. That is the best guaranty that America will keep out of the next war. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Moser] for 3 minutes.

Mr. MOSER. Mr. Chairman, on a resolution like the one under consideration by the Committee and on the proposed amendment pending, I feel as though I would rather reminisce than advocate. As a Christian nation, we who believe in Holy Writ have learned that Moses went into a high mountain there to obtain the Law of God. When he descended and found his associate Aaron had erected a golden calf before which his followers were worshiping, in his anger and passion he literally broke the Law of God writ on tables of stone.

The durability of this law transcribed on stone has failed since the very beginning of law. God's law in the form of commandments have been broken and violated ever since first given to man. As civilization advanced mankind set himself into nations, and nations have found it necessary to enact and enforce laws. Laws transcribed whether on parchment or paper have proven no more efficacious than those written on stone. If people observed the Golden Rule, there would be no need for law. Because they do not, laws must be enacted to restrain them, and yet no nation seems to have found a method of eliminating law because the people were that kind toward other people they did not need law. People among themselves violate existing laws of their government. It is equally true of all peoples and nations.

The law of nations came into being as international law to protect the rights and freedom of peoples of one nation as against the aggression or transgression of another nation. This law of nations was violated by a great power as the aggressor in the great World War, styling it as a "scrap of paper." With this arrogant and defiant action, we are all familiar. At the end of that World War, representatives of the combatant nations met in Versailles to arrive at a conclusion of peace. From this meeting there emerged the theory that a League of Nations should be devised and set up to provide as a collective dictator over all nations to protect the peace and domestic tranquillity of each member against the aggression of another. Naturally an aggressor must of necessity be determined, and once determined economic sanctions were to be applied to the aggressor. We have since observed the example of the League's members becoming aggressors and severing connection with it; waging war (undeclared war if you please) but nonetheless war, with all its agonies and consequences against another member of the League, even the same as if there had been no League among its agreeing nations at all, their becoming signatories to the compact and agreement, carrying no weight at all, the contract being manifestly regarded as another "scrap of paper."

Though President Wilson verily believed the entrance of the United States into the World War would in effect be a "war to end all wars," and to make the "world safe for democracy," his effort was immediately repudiated and the peace treaty with a League of Nations tied into it was rejected by a recalcitrant Senate, a separate treaty being subsequently entered into and the United States of America remained aloof from the entangling alliances with foreign nations, against which both Washington and Jefferson vouchsafed their forebodings.

We recall next, how a World Court was set up and every energy expended to have the United States enter into this newer compact. It was rather universally styled as a "back-door entrance to the League of Nations." Each proposal to enter into and participate in the World Court has been rejected by the Senate. It appears rather strikingly significant, however, that after the proposed entrance was last rejected by the United States Senate, the Neutrality Act of 1935 came into being. I was not then a Member of this House, but I have a vivid recollection of the subsequent enactments since I have been a Member of the body.

I recall the vote on the embargo on shipments of arms to Spain, when only one Member of this House, and in fact the entire Congress of the United States, voted against it, as referred to by the previous Member to occupy this well of the House. Having had occasion to check that vote on an inquiry from a constituent, I learned that detailed result, the vote in the Senate having been unanimous. I have since been traduced and threatened with a plotted kidnaping as advocated by a deserter from the Loyalist Army in Spain, who came to my district to agitate and advocate acts of that rash character. I received a telegram from that same group demanding that we lift that embargo on arms to Spain and impose it immediately on Germany, Italy, and Japan. This gives a concept of what evolves in the minds of certain people who abuse the liberties with which we indulge strangers within our midst. When the receipt of this telegram was incidentally mentioned to Colonel McIntyre, secretary to the President, he exclaimed: "Why, that is the very step that would immediately plunge this country into war." There is little doubt in my mind, the agitator could have desired no less than exactly this occurrence.

When in April 1937 we voted the amendment providing the cash-and-carry plan, I vouchsafed the opinion to a colleague, that regardless as to how and what we legislate, when it comes to regulating and restraining the passions of man, our enactments will be ineffective and impotent. Since the beginning of civilization, all attempts of man to restrict and restrain these passions have proven futile. As a school-boy I learned in history that Penn's treaty with the Indians was the only one never signed and the only one never broken. Though I voted for the cash-and-carry amendment, I did so predicting its violation and its impotency, and I find I was not mistaken.

Though I advocated ratification of the eighteenth amendment by the assembly of my State, and collaborated with Government agents engaged in the enforcement of the Volstead Act to carry out the provisions of that amendment, I learned very early in experience that the appetites, desires, and passions of mankind are not subject to legislative enactment and executive enforcement, and was soon won over to the opinion that no law could be passed to force people to remain sober. I saw the Volstead Act violated and flouted from its enactment to its nullification by the repeal of the amendment, and then saw a senator in my State escape his previous conviction by a court's determination of exonerator for the violation of the act, on the repeal of the amendment before the sentence had been imposed.

Whether it be in the traffic of liquor, narcotics, or munitions, regardless of the law, when the profit to be realized becomes great enough to take the risk, people theretofore to all appearances previously law abiding will take the risk of its violation. Only when the spirit of God looks upon the hearts and minds of mankind as it did upon the face of the waters in the Genesis, will we have the application of the Golden Rule, freedom from violation of law, whether of nations or neutrality. The millennium is not in sight. I cannot forecast its probability. I hold therefore that regardless of what action this Congress may take on the question of neutrality, it will be violated as soon as there is enough profit in it to warrant the chance they may have to take to satiate the greed of the unscrupulous.

With the cessation of hostilities in Spain, the Spanish embargo was duly lifted by Executive proclamation. With the expiration of the period of its enactment the cash-and-carry automatically expired, yet we, as Members of the Congress, receive declarations of dire consequences because of it by well intentioned constituents and correspondents. But under the existing neutrality law as it was enacted in 1935 and continues, we have unwittingly placed our President of the United States in the very position the Nation declined to take when remaining aloof from the League of Nations with its power to determine the aggressor and impose economic sanctions. We would have the President determine the aggressor and impose an embargo, amounting to the same

thing, to all purposes exactly the same as if we were signatories to and participants in the League.

I would like to go back to the early days of the war cry in the early teens, and before we entered the World War in 1917, particularly. It was Count von Bernstorff who issued the warnings right here in Washington to Americans to remain off the ocean-going vessels on the ground they were carrying contraband. This brought the condemnation of the American people, the press, and the administration upon the head of the count and won him his passports. Today we have before us for consideration in this resolution the same proposed authority to issue such warning, but we would impose it upon the President and direct that he assume the prerogative that Count von Bernstorff arrogated to himself, virtually repeating the offensive conduct of Citizen Genet in the early history of our Republic.

Trust in God; rely on international law, the law of nations; and enforce the Monroe Doctrine and this Nation will be as near neutral as we have ever been, far more so than any act we may pass here today can make us be.

Regardless of what we enact here today on neutrality, I forecast its disregard and violation when profits entice and lure the unscrupulous. [Applause.]

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I just want to make this observation: I have been very much interested in the discussion on this proposed amendment of the gentleman from Pennsylvania [Mr. ALLEN], but let us see what the situation would really be.

International law today declares that arms and munitions shipped to a belligerent are contraband, and ships which carry contraband are subject to be sunk or subject to be seized and destroyed or detained. Now, I ask the people who talk about international law and those people who are afraid of an arms embargo, why, in the name of common sense, if international law declares arms and munitions shipped to a belligerent to be contraband, why cannot we at least, as a Congress, declare that no contraband shall be shipped from the United States in a ship operated and manned by citizens of the United States. [Applause.] We will be doing nothing but writing into substantive law a prohibition which is practically contained in international law.

Mr. Chairman, we have had the Ten Commandments for many centuries, but although those Ten Commandments say "Thou shalt not kill," killing has been going on ever since. We have had to implement those Ten Commandments by the adoption of statutory law throughout the length and breadth of this land, defining killing, and punishing the violators; and it seems to me it is high time that we implement some of this international law, in response to the unanimous demands of the people of this Nation, that we write a neutrality law at this session that will keep us out of war.

Perhaps the neutrality law that we write cannot anticipate the things of the future, but at least we can incorporate in it prohibitions that will cover the experiences which we had from 1914 to 1917. [Applause.]

The CHAIRMAN. The gentleman from Kentucky [Mr. CREAL] is recognized for 3 minutes.

Mr. CREAL. Mr. Chairman and members of the Committee, the American people all believe that Congress has sense enough to write some kind of a neutrality law, whether we do have such or not. But to admit that there is nothing that can be done about it would mean a loss of prestige in the minds of the American people.

As to international law, that is as dead as the blue laws. I challenge the readers of history or the teachers of history to tell me of any one nation that was engaged in war with another nation for a period of 6 months that did not violate international law in some respect. Then there is no such thing, and when you are talking about basing it on international law, who enforces international law? It has no police power to enforce it.

One other point. When they talk about leaving Congress free and at liberty to do what it pleases, after we see what happens, gentlemen, then it is too late to act. It was too late to act after the sinking of the battleship *Maine*. It was too late to stop the clamor of the people. President McKinley was pushed into war. Every war we have gone into we have gone into while international law was the only neutrality law that we had—the War of 1812, the World War, and the Spanish-American War—each and every one of them.

Now to say that we can do nothing about the matter is to meet the issue pleading weakness which we do not possess.

In defense of all neutrality laws that are passed, and all the criticism that has been made, I wish to remind you of this: None of the neutrality laws passed in the last 4 or 5 years took us into war. Who can say whether or not they kept us out? None of them took us in. I do not know if we had not passed those laws whether we would have been in war or whether we would not have. Who can say? I voted for the last neutrality law. I am not prepared to say, I would not dare to say that without it we might not have become involved with Germany or Italy. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McDOWELL] is recognized for 3 minutes.

Mr. McDOWELL. Mr. Chairman, I believe my voice at this moment is the voice of the young men of America. I impose upon your time to earnestly plead that this body with all its sincerity, and its patriotism, and its courage does not again inadvertently create a situation whereby we go to war for purposes other than that of defending our country.

The thoughts of war are not in the abstract to me and those I represent. If war comes I shall be a soldier as will millions of those I am pleading for. My hair is not gray; I shall not stand on the curb and watch the troops march by. I am a veteran of the next war. The risks will be mine and the risks will be given to 10,000,000 other young men and boys who carry the guns and sail the ships and fly the planes.

I have asked at various times on this floor: Whom are we going to fight and why? Nobody has yet answered that burning question, but I know and you know that if we light a fuse the bomb will explode. This Bloom bill is in itself a lethal weapon. To my way of thinking all neutrality bills are potential lethal weapons. All neutrality bills are dangerous, unworkable, and un-American.

We are the Congress of the United States, we represent the people of the United States. We are unanimous in our desire to avoid foreign entanglements and war. The President is in the White House, the Congress is in the Capitol, the wars are in Europe and in Asia. Our only safe course is to meet the emergencies when they come.

Our responsibilities to the young men of the Nation are far more than economic, far more than political. They mean life or death in half the homes of the Nation. We cannot here control the maddened passions of an inflamed world. We cannot here apprehend political and military situations that are rapidly rushing toward a bloody climax.

I do not want to go to war. Millions more like me do not want to go to war. This bill means war. I shall vote against it and when the war comes I shall quit this body and go to war. [Applause.]

The CHAIRMAN. The gentleman from New York [Mr. BARTON] is recognized for 3 minutes.

Mr. BARTON. Mr. Chairman, I came to this House a year ago, having told the people of my constituency that there were too many laws on the statute books, and that a large number of those laws were public frauds, in that they sought to promise to the American people blessings and benefits which are beyond the power of legislation to confer. I had been here only a short time when I made a sad and sobering discovery. If I may borrow the biblical language of my friend from New Jersey, Dr. EATON, "It is easier for a camel to pass through the eye of a needle" than it is for a Member of this House, particularly on the minority side, to get a bad bill repealed.



I have consistently replied to people who have written me about the neutrality act that I was in favor of the repeal of the act because, in my opinion, it tended to give the American people a false sense of security. I cannot add anything particularly to what has been said in elaboration on that point, but if I had my way, I would say to the nations of the world, "Our policy is that, if and when the circumstance arises, we will conduct ourselves in whatever way we believe will best contribute to our own interests and to the peace of our people."

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. BARTON. I yield.

Mr. SHANLEY. The gentleman does not believe from the statements that have been made on this floor that international law got us into the last war?

Mr. BARTON. I wish I had time to discuss that. I certainly do not believe it.

Mr. SHANLEY. And the gentleman will bear me out and suffer me to say that the Allen amendment certainly will not get us into this new war that apparently is in the mind of some people, by bringing into being international law?

Mr. BARTON. May I say to the gentleman in answer to that I think the most dangerous mistake that can be made in international relations is an indulgence in sentimentality or self-delusion. If we keep a law on our statute books which leads the nations of the world to believe that under any and all conditions they will not have to figure on the resources of the United States, and if we keep on the books a law which makes our own people feel that behind that law they have a security that really does not exist, we are deluding the world and deluding our own people and endangering our own peace. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Missouri [Mr. BELL] is recognized for 3 minutes.

Mr. BELL. Mr. Chairman, as we proceed here we may be passing or failing to pass the most important piece of legislation that has confronted this body for 20 years. As I have listened to the debate in the last few hours I have been more deeply impressed, perhaps, than ever before with the sincerity and patriotism and earnestness of this body. It does not make any difference which side of the aisle one sits on, one finds the same earnest desire to serve our country. I believe we are all seeking to keep this country out of war.

A certain general once said to an army as he stood upon the sands of the Sahara and looked at the great Pyramids in front of him: "Men, 40 centuries are looking down upon you." Every man in this room knows that today 130,000,000 people of the United States are looking to this body to keep us out of war.

Yesterday, as the distinguished gentleman from New York [Mr. BARTON] addressed this body, I looked around and saw not only on the other side but on this side that his words were leaving an impression. I was impressed and I feel that most of us were impressed when he said that should London, or Paris, or any other great city of Europe be bombed from the air, 30,000,000 radios would make those explosions audible to the ears of America. That statement convinced me as I have never been convinced before that our present Embargo Act would not stand 30 days in the event of a war in Europe. I therefore switched my attention to the Bloom bill.

I am opposed to the amendment offered by the gentleman from Pennsylvania, although I know his amendment is offered in the greatest sincerity, and I have great respect for his ability, but I am opposed to the amendment because it puts us right back in the so-called field of international law. We have heard a lot of learned talk about international law, but every time I heard it I thought of the story of the man who went to the circus and looked the elephant up one side and down the other and then said, "There just ain't no such animal." A distinguished commentary upon English law more than 100 years ago made the statement that no rule of conduct is worthy to be called a law unless that rule of conduct is backed by the force of a sovereign power capable of enforcing it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. VAN ZANDT] is recognized for 3 minutes.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT to the amendment offered by Mr. ALLEN of Pennsylvania: At the end of the Allen amendment after the word "repealed", change the period to a colon and insert: "Provided, however, That nothing contained herein shall affect the powers or authority of the National Munitions Control Board as authorized in section 5, Public Resolution No. 27, Seventy-fifth Congress."

Mr. VAN ZANDT. Mr. Chairman—

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. ALLEN of Pennsylvania. I merely want to inform the gentleman from Pennsylvania, that I think his amendment a very good one.

Mr. VAN ZANDT. Mr. Chairman, much has been said here today about the World War, the number of men who lost their lives, and those who are still confined to Government hospitals as the result of service to their country. There has also been mentioned the war debt, amounting to billions which still today remains unpaid. Mr. Chairman, very little has been said about the activities of munitions manufacturers not only during the World War but before and afterward.

Some few years ago the Congress of the United States saw fit to appoint a committee to investigate the activities of these munitions manufacturers. That committee was made up of Members of the body on the other side of the Capitol. Its investigation covered a period of months during which time the activities of the munitions manufacturers and their deliberate attempt to involve our Nation as well as others in wars was for the sole purpose of disposing of their products. Some few years after this committee presented its report to the Congress of the United States. After due deliberation Congress decided a neutrality law was necessary and in that law they incorporated section 5, providing for the National Munitions Control Board.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. Surely.

Mr. ANDREWS. Did I understand the gentleman from Pennsylvania [Mr. ALLEN] to say that he accepted the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT]?

Mr. VAN ZANDT. He did.

Mr. Chairman, should the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN] be adopted the committee would certainly want to continue in effect this National Munitions Control Board. Let me cite for your information the power of this Board relative to the situation existing in the Far East. The Secretary of State called upon the airplane manufacturers of this country to stop the exportation of planes to Japan. Every plane manufacturer in the country except one stopped immediately shipping planes to Japan, and that one was asked for a report by the Secretary of State. In that report the manufacturer asked permission to complete the order and then he could be expected to stop shipping planes to Japan. That manufacturer kept his word, and what are the results? Today no planes of American manufacture are being shipped to Japan. The same control can be applied to munitions or any other implement of war; and I ask you to adopt this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I think the debate today, if it should be read by our President or by any future President, will serve to make it understood that it is the full and complete desire of this Congress that the Executive

so conduct himself that this country may be kept out of war. The most persuasive argument to me is that during the World War while actual conflict was going on the nations that desired to be neutral remained so without having statutes on their books. They kept themselves free. With that experience certainly we should profit thereby.

We should have no desire to do something to mislead the people. An act labeled "neutrality" should not be an alibi for clear understanding of the consequences. That attitude does not please me at all. We fully understand that those thrilling speeches of the gentlemen from New York [Mr. WADSWORTH and Mr. BARTON] simply led to their final conclusion that present statutes should be repealed, and they favor, as I understand it, the pending amendment.

Let that be fully understood before you further attempt to misquote those gentlemen. Those were convincing speeches. However, when the gentleman from New York [Mr. BARTON] declared that 35,000,000 radios would bring to our ears the screams of the women and children of bombed cities, I want to remind you that we have been very callous in such matters. Thirty million radios have not seemed to arouse us very much about the screams from Ethiopia, China, Spain, or Czechoslovakia. Our people seem to have kept their equilibrium. There is, however, a marked preference toward democracies. It is all too plain that the country would be greatly aroused if England or France were involved. No wonder that some writer coined the phrase, after carefully considering the conversations held at the White House, "Is not France our first line of defense?" It was refuted at the time, but it summed up the situation probably rather accurately. It was an apt expression, having in mind the developments of those few days. The effect of this bill is well understood. We can very well say to the dog that is chained, "Come and get your food. You are just as much entitled to it as these other dogs." Knowing in advance that the chain is effective, the words have a hollow, mockery effect when the title is "strict neutrality."

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Chairman, my people have written to me imploring, "Give us neutrality which will keep us out of war." This plea comes from the peace-loving Christian men and women of my State, and I think they echo the feeling that exists throughout the entire country. It includes the Veterans of Foreign Wars and the American Legion, who have as a plank in a patriotic platform that we should have neutrality which will keep us out of war. That, I may say, is my own feeling. I think those ex-service men who would have us take the profits out of war, provide adequate defense, and enact neutrality legislation which would tend to keep the Nation out of war would approve of this bill, with certain amendments which the committee has proposed and which, I am informed, others will offer. Therefore, I am interested in perfecting this bill rather than a substitute therefor.

I have been impressed with the seriousness and the sincerity of the speeches made here today in our struggle to find that which will keep us out of war. I shall find it necessary to vote against the amendment offered by the gentleman from Pennsylvania, though I recognize his seriousness and sincerity in offering the amendment. I do not believe we can turn back and put ourselves again, as formerly, on the basis of international law. International law is unique in that it has no penalty other than war, and I fear it is a slender reed on which to lean in order to keep out of war. We will try to enact that sort of neutrality which will have the desired effect of keeping us out of war.

I do not see any consistency on the part of those who oppose this bill because it gives too much power to the President, and who, therefore, demand that we repeal all our neutrality laws and return to the basis of so-called international law. If we should return to the basis of international law, the President would then have more power than is con-

ferred upon him by this unamended measure. Many times we have heard Members cry out against the power of the President, as if they feared he would deliberately plunge us into war. Some have even indicated that we are being led into war. I think much of that is political bunk. I do not have any such fear of the President, yet I do not want any man to carry too great a power or weight of such responsibility. It is a matter of degree. I must remind the opposition that under our constitutional system, established by the founding fathers, the President is, within limits, the spokesman for our Nation in international matters. We must, under our system, confer upon the President some powers in dealing with other nations.

I am watching every amendment which is proposed to the Bloom bill. It may be far from perfect and I want to see it amended. If I feel after the several amendments have been incorporated in the bill that it will meet the prayer of our people to keep us out of war, I shall vote for the committee bill as amended. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, less than 2 years ago a series of meetings were held in this Capital City at night. To those meetings were invited representatives of the great powers of this earth. We began with our own representative, Cordell Hull, Secretary of State. The meetings were held once a week and were closed meetings. What was said was off the record. I call the attention of those Members who were in this House at that time and those Members who have come here since then to the fact that when the Ambassador from Spain came before that meeting his face twitched with emotion, and he spoke under great strain at the attitude of our Government toward the Loyalist Government of Spain, which he represented. We invoked our neutrality law against that country. We found that a state of war existed in that land. That act operated to the detriment of one side in that struggle. I wonder if we realize that if the Loyalist Government in Spain had succeeded we would have made just one more enemy in Europe against the United States? I am not disposed to say what took place in those meetings, but every Member who was there knows that when the Ambassador from China came before us the very atmosphere of the room was charged with sympathy for him. When the Ambassador from Japan came before us, we know what the attitude of that meeting was that night toward his Government. Yet we invoked the neutrality law against Spain, but we do not invoke it against China and Japan, when every schoolboy in this country knows that a state of war exists today in China and has existed for 2 years. What a farce our neutrality law when we invoke it against one country where they have civil war and do not invoke it against another country where a greater war exists than in Spain. Our interests in China are as great, if not greater, than they are in Spain. In which case are we neutral?

I simply call this to your attention in order that we may at least observe how our neutrality law has worked so far as it has been applied to two wars going on in the world since we put it on the statute books. My judgment is it has not worked, and it does not establish the United States to be neutral when we invoke the law against one and not the other, because our very act makes us unneutral.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. TAYLOR] for 2 minutes.

Mr. TAYLOR of Tennessee. Mr. Chairman, while I have fully appreciated the importance of this momentous legislation, I had not intended to make any remarks thereon until the pending amendment was proposed. I am not only opposed to this amendment but I am opposed to the so-called Bloom bill unless it is materially amended.

I recognize that international law has unfortunately become outmoded and has degenerated to the law of tooth and talon, the law of the jungle. It only serves those who are



in a position to exert might, and in some instances it operates against those who are recognized to occupy a position of right. There was a time when international law possessed a code of ethics which was universally respected, but, sad to relate, that integrity has become only a memory. International law today is an empty phrase, innocuous and meaningless.

I feel that unless this Congress can evolve some neutrality measure that will meet with the expectation and the hope of the American people we will convict ourselves—I regret to say it, but I shall say it—of imbecility. The people of this country are expecting this Congress and they are depending upon this Congress to pass some sort of neutrality legislation that will safeguard us against participation in any foreign war. As one Member of this body I am willing to support any measure that is calculated, even remotely, to secure this country against such a tragic and melancholy holocaust as it experienced in 1917. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DUNN] for 2 minutes.

Mr. DUNN. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 5 minutes.

Mr. BLOOM. Mr. Chairman, since under the limitation time for debate expires at a quarter past 6, I yield my time to the gentleman from Pennsylvania.

Mr. DUNN. Mr. Chairman, if I were convinced beyond a doubt that the bill now before the House would lead us one step toward war I would not support it. It is my opinion that this bill, if enacted into law, will keep us out of war.

Mr. Chairman, in the World War thousands of men were blinded. Although, in my opinion, blindness is not the worst affliction that can befall man, nevertheless, it is a terrible handicap. I know what I am talking about because for 30 years I have been without vision. Do you suppose that I would favor legislation which I knew would result in the murdering of hundreds of thousands of human beings and the maiming of thousands for life? No; I would not. War is inhuman.

If we would take the profits out of war, and there would be no such thing as annexations or indemnities, it is doubtful whether nations would go to war. I do not think that the people of our Nation or any other nation in the world wants war. I do not believe that our great President Roosevelt would intentionally have us participate in a war unless it was absolutely necessary to defend the people of our country. The President has demonstrated many times that his main interest is in humanity.

No matter how long we live and regardless of how much money we accumulate or what position we attain, the time comes when we must depart from this earth and leave everything behind. I would not object if it were said about me after I pass from this planet, "MATT DUNN, while he was a Member of Congress, didn't accomplish a great deal but at least he made a big effort to help his fellow men." [Applause.]

If we would use about one-tenth of the money which is expended for munitions and other damnable devices of war for education and the eradication of slums, we would not only be doing something constructive but also very humane.

Almost every square foot of ground in Europe has been saturated with human blood because of religious, national, and race hatred, and human blood will continue to be spilled until that time comes when man will look upon his fellow man as his brother. Any country that persecutes people because of their religion, nationality, race, or color should be condemned—in fact, our country is guilty of inhuman treatment of many of its own people. The great God of the universe has put on this earth an abundance of everything necessary for man and yet in every nation in the world thousands of human beings are poverty stricken. It is disgraceful and abominable for mankind to be compelled to suffer in a world of plenty. I hope the time is not far distant when the people

of every nation in the world will come under one flag—the flag of humanity. [Applause.]

[Here the gavel fell.]

Mr. SMITH of Maine. Mr. Chairman, people are thinking and talking much about neutrality these days. The thought is, of course, that to remain neutral will tend to keep us out of war. From our early history, we have had neutrality legislation. On the whole, it has been helpful in preserving peace. Wise action now may cause calamity to pass us by should war break out in Europe. It is conceded that "changing the rules of the game" after the commencement of hostilities would be much more difficult.

We shall find profit in discovering just what our present law is and the principal point of controversy in the legislation now pending.

The act of May 1, 1937, provides that the President, on becoming aware that a "state of war" exists between two or more foreign countries, shall so proclaim, designating the nations involved. After this proclamation, it becomes unlawful for anyone to ship "arms, munitions, or implements of war" to any of the belligerents thus designated. This provision also applies to "civil strife," like the recently concluded war in Spain.

The present law does not provide for an embargo on foodstuffs and nonmunitions generally. It does, however, stipulate that, after proclamation by the President of a state of war or civil strife, such material—to be designated in the proclamation—can be exported to the nations involved only after the ownership has "been transferred to some foreign government or person," and even then it must be transported in a foreign vessel. These stipulations—foreign ownership and foreign transportation—are the oft-mentioned cash-and-carry provisions.

The foregoing covers the important provisions of the present neutrality law except its stipulations that, after the President has issued his proclamation as to a state of war or civil strife, American citizens must not travel on the vessels of any of the belligerents; and loans must not be made to belligerent countries.

The reason for an embargo on munition shipment to belligerents is in part humanitarian and in part for our defense and protection. That we are furnishing material to be used by warring nations for mutual destruction is an unpleasant thought. Exports of that character did much to get us into the Great War. We wish to remove that factor, one of the tendencies toward our embroilment in another European struggle. The munition makers are, of course, opposed to the embargo, and many join them in the argument that the nations determined to fight will get the materials of war from somewhere. "We may as well have the business," they say. This view—dollars above decency—happily, did not prevail when the act of 1937 was passed.

Little or no humanitarian thought pertains to the cash-and-carry provisions. They are purely for our own protection. If, as in the Great War, an American firm gives liberal credits to a foreign belligerent, that firm becomes desperately interested in the success of that nation. If the country which has bought the goods on time faces defeat, there is at once much pressure to get us into the conflict to rescue the American firm from loss. This was undoubtedly the most powerful consideration among those which drew us into the World War. If England and her allies had not owed American business interests two billions or more dollars on January 1, 1917, the declaration of war against Germany on April 6 of that year would probably never have been made.

Hence the present law now says to foreign belligerents, "If, while you are engaged in war, you buy goods of any sort from American firms, you must pay for them before they leave our shores." Loans to belligerents are prohibited for the same reason.

The other part of the cash-and-carry plan, prohibiting transportation of belligerent purchases in American ships,

seeks to avoid another source of international complication. A ship, loaded with goods for one belligerent is often sunk or captured by another nation. If it is an American craft, popular feeling runs high and the urge to join in the conflict is great. Hence, the logic of insisting that a nation at war shall furnish its own transportation. Somewhat similar reasoning leads to the provision in the present law that Americans must not travel on ships of foreign belligerents in wartime. This is an attempt to guard against another *Lusitania* incident.

The law we have been discussing is neutral, all the way through. It makes no attempt to distinguish between the aggressor and the aggrieved nation. Under the act of 1937, all nations—treaty breakers and treaty keepers—look alike to us. Among the changes proposed in the legislation now pending, is that we shall confer upon the President the authority to designate the aggressor nation and that upon such declaration an embargo shall follow.

It is perhaps well to consider this, but now and always it should be remembered that America has no excuse for meddling, even to this somewhat limited extent, in foreign affairs, much less for sending a military force to Europe, unless certain that the democracies of the world are being destroyed. Therefore, I am opposed to this amendment, believing it is wise to retain the embargo we have. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT] to the amendment offered by the gentleman from Pennsylvania [Mr. ALLEN].

Mr. FISH. Mr. Chairman, as I understand it, the amendment we are now voting upon is the Van Zandt amendment.

The CHAIRMAN. The gentleman is correct.

Mr. DONDERO. Mr. Chairman, for the benefit of the members of the Committee, may the Clerk again read the amendment?

The Clerk read the amendment to the amendment.

Mr. ANDREWS. Mr. Chairman, I rise to ask the Chairman if I am not right in stating that the gentleman from Pennsylvania [Mr. ALLEN] stated he would accept the amendment?

The CHAIRMAN. It is not within the province of the Chair to answer that inquiry.

Mr. ALLEN of Pennsylvania. Mr. Chairman, I rise to propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ALLEN of Pennsylvania. Is it possible for me to answer the question of the gentleman from New York at this time?

The CHAIRMAN. The time, as fixed heretofore, is exhausted.

Mr. McLEAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLEAN. If the amendment is adopted, the gentleman from Pennsylvania can still move to strike out other provisions?

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. ALLEN of Pennsylvania) there were—ayes 162, noes 97. So the amendment to the amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California to the amendment offered by Mr. ALLEN of Pennsylvania: After the amendment offered by Mr. VAN ZANDT, insert: "Provided further, That nothing in this amendment shall affect the prohibition against loans and credits to belligerents provided in subsections 4 (a), (b), and (c)."

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. ALLEN], as amended by the amendment of the gentleman from Pennsylvania [Mr. VAN ZANDT].

The question was taken; and on a division (demanded by Mr. ALLEN of Pennsylvania) there were—ayes 68, noes 195.

So the amendment was rejected.

Mr. KNUTSON. Mr. Chairman, I have an amendment at the Clerk's desk which I would like to offer at this time.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Strike out all of section 1 and insert the following—

Mr. FISH (interrupting the reading of the amendment). Mr. Chairman, would it be in order for the committee members to be recognized first to offer amendments?

Mr. KNUTSON. I have already been recognized.

The CHAIRMAN. If there is any member of the committee seeking recognition, he is entitled to recognition.

Mr. FISH. Mr. Chairman, I would like to be recognized.

Mr. KNUTSON. I already have the floor, and have been recognized.

Mr. H. CARL ANDERSEN. Mr. Chairman, the gentleman from Minnesota [Mr. KNUTSON] has already been recognized.

The CHAIRMAN. Recognition is in the discretion of the Chair, and the Chair will recognize members of the committee first. Does the acting chairman of the committee seek recognition?

Mr. BLOOM. Mr. Chairman, I would like to ask whether the committee amendments to section 1 have been agreed to?

The CHAIRMAN. The only one the Chair knows about is the one appearing in the print of the bill, and that has been agreed to.

Mr. BLOOM. In line 16, there is a committee amendment.

Mr. KNUTSON. Mr. Chairman, I was recognized by the Chair.

The CHAIRMAN. The Chair feels that inasmuch as members of the committee were not on their feet and the gentleman from Minnesota had been recognized, the gentleman is entitled to recognition.

The Clerk will continue the reporting of the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Strike out all of section 1, and insert the following:

"That section 1 of the joint resolution of August 31, 1935 (Public Res. No. 27, 75th Cong.), as amended, is amended to read as follows:

"PROVISIONS RELATING TO WAR MATERIALS AND LOANS

"SECTION 1. (a) Whenever a foreign state is at war with any other foreign state, the President shall by proclamation so declare, and shall include in such proclamation the names of the states involved in the war, and, from time to time, by amendment to such proclamation include the name of any other state when it becomes so involved, or exclude the name of any state when it ceases to be so involved, as the case may be. A state named in such proclamation as involved in the war shall for the purposes of this section be deemed to be a state to which such proclamation applies.

"(b) Whenever a proclamation issued pursuant to subsection (a) is in effect, it shall, notwithstanding the provisions of section 3, be unlawful—

"(1) for any person to export from any place in the United States to any state to which such proclamation applies any arms, ammunition, or implements of war which the President by regulations issued under subsection (d) defines as such, or any articles or materials which the President by regulations issued under subsection (d) defines as capable of being converted into arms, ammunition, or implements of war, or

"(2) within the United States for any person, or either within or without the United States for any person who is a citizen of the United States, to make any loan, directly or indirectly, to the government of any state to which such proclamation applies, or of any political subdivision thereof, or to purchase or sell any obligation of any such state or political subdivision issued after the enactment of the Neutrality Act of 1939,

unless the President has by proclamation designated such state as having agreed to and as complying with a code of warfare acceptable to the United States.

"(c) Whenever a proclamation issued pursuant to subsection (a) is in effect it shall, notwithstanding any provision of subsection (b) or of section 3, be unlawful—

"(1) for any person to export from any place in the United States any arms, ammunition, or implements of war which the President by regulations issued under subsection (d) defines as such, or any articles or materials which the President by regulations issued under subsection (d) designates as capable of being



converted into arms, ammunition, or implements of war, to any state that is in arrears or in default in payments due on any debt of such state to the United States, or

"(2) within the United States for any person, or either within or without the United States for any person who is a citizen of the United States, to make any loan, directly or indirectly, to the government of any state or of a political subdivision of any state that is in arrears or in default in payments due on any debt of such state to the United States, or to purchase or sell any obligation of any such state or political subdivision issued after the enactment of the Neutrality Act of 1939.

"(d) As soon as practicable after the enactment of the Neutrality Act of 1939, the President shall by regulations define every article and material which constitutes arms, ammunition, or implements of war, and every article and material which is capable of being converted into arms, ammunition, or implements of war and shall not amend or modify such regulations during any period during which any foreign state is at war with any other foreign state.

"(e) Whoever violates any of the provisions of this section shall upon conviction thereof be fined not more than \$250,000 or imprisoned for not more than 5 years, or both.

"(f) As used in this section "citizen of the United States," in the case of a person other than an individual, means a person organized under the laws of the United States, the laws of any State of the United States, or any political subdivision of any such State, or the laws of any Territory, district, or possession of the United States."

"Sec. 2. This joint resolution may be cited as the 'Neutrality Act of 1939.'"

Mr. BLOOM. Mr. Chairman, I make a point of order against the amendment.

Mr. KNUTSON. Mr. Chairman, the amendment is clearly in order.

The CHAIRMAN. Will the gentleman from New York kindly state the grounds of his point of order?

Mr. LUTHER A. JOHNSON. The amendment is not germane to the section, Mr. Chairman. We could not understand the reading of all of it. It sounded like a new bill, but it relates to all sections, and I think from a casual reading of it, it is not germane to this section.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. KNUTSON. Yes.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. KNUTSON. Under the ruling of the Chair earlier in the afternoon it was held that any motion to strike out everything after the enacting clause and substitute some other provision would be in order after we completed the reading of the first section or the entire bill. Upon that ruling I rest my case.

The CHAIRMAN (Mr. COOPER). Unfortunately for the gentleman from Minnesota he has not offered his amendment in that form. In the form in which the gentleman has offered his amendment, the Chair is of the opinion that it is clearly subject to the point of order, and therefore sustains the point of order made by the gentleman from New York [Mr. Bloom].

Mr. KNUTSON. Mr. Chairman, in view of the seriousness of this matter I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Minnesota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the decision of the Committee?

The question was taken, and the decision of the Chair was sustained.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. Vorys of Ohio: On page 2, after line 15, insert the following:

"(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms or ammunition from any place in the United States to any belligerent states named in such proclamation."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. VORYS of Ohio. Mr. Chairman, this amendment follows the general form of the present act, but provides for an embargo confined strictly to arms and ammunition. "Implementations of war," whatever they are, have been eliminated from the embargo, and therefore all the elaborate machinery in the present act for defining "implements of war" has been omitted.

Webster's Dictionary, here at the desk, says:

Arms. (1). Instruments or weapons of offense or defense; loosely, objects of any kind that may be used as weapons.

Ammunition. (2). Articles used in charging firearms and ordnance of all kinds, as powder, projectiles, rockets, etc.

This amendment would therefore embargo anything that is designed solely for use in offense or defense in war—lethal weapons—and would not cover any other articles or materials, even though they could be changed into arms or ammunition by a belligerent, or were used both for peace and war, such as trucks, commercial airplanes, sandbags, food.

The prohibition in the present act against transshipment to neutrals is omitted as being needlessly complicated. If the transshipment is actually an "attempt to export" to a belligerent, in a roundabout way, it is forbidden by this amendment.

The provision in the present act for libel and forfeiture of illegal shipments is omitted, as this is clearly covered by sections 233 to 245 of the United States Code, title 22, which are still in force.

This amendment provides the sort of arms embargo the American people think they have now. It is the kind they want, that experts on international law think should be retained. It will help keep us out of war by forbidding a traffic that would mean murder to people with whom we are at peace, murder to our peacetime economy, murder to our neutrality. We are not required under international law to ship arms to anyone. This merely prevents the shipment of "absolute contraband" which is subject to seizure by any belligerent.

By this means we will, as Washington said in his 1793 proclamation:

With sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers.

This amendment will not please any strict isolationist or any strict interventionist or any strict defeatist. The isolationist would have us stop all trade with all belligerents and get off the seas. The interventionist would have us stop all trade to one side and furnish everything to the other side and go to war. The defeatist would have us call the whole thing off and rely upon international lawlessness. This amendment will suit ordinary Americans and American historians and American experts on international law. I am told that no other nation has an arms-embargo law. I am proud that this is an American idea and ideal, that we will not help to kill people in other people's wars, because we want to be neutral and friendly and at peace.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. CRAWFORD. As I understand the gentleman's proposal, neither an alien nor a citizen of the United States could manufacture such articles in this country and ship to a belligerent?

Mr. VORYS of Ohio. They could manufacture arms and munitions, but they could not ship them.

Mr. CRAWFORD. Do I understand that the bill now proposed to be voted on, the Bloom bill, does permit aliens to operate in this country, through the ownership of plants and through production, and, therefore, can ship goods? Will this bill permit them to do that?

Mr. VORYS of Ohio. The Bloom bill permits it. This amendment which I have offered does not.

Mr. CRAWFORD. Then if the American people have to submit their plants and their operations to aliens, where do we get under the Bloom bill?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I now insist upon my point of order, that the amendment is not germane to this section.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard on the point of order?

Mr. VORYS of Ohio. Mr. Chairman, I merely wish to say that this amendment dealing with neutrality, restoring a part of the present law which contains in the same section a similar provision, is certainly germane to the bill and germane to section 1.

The CHAIRMAN. Has the gentleman from Ohio concluded?

Mr. VORYS of Ohio. I have concluded.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Ohio offers an amendment to section 1 of the pending bill. The gentleman from Texas makes the point of order against the amendment on the ground that it is not germane to the section to which it is offered.

The Chair invites attention to the fact that section 1 of the pending resolution provides only that the President shall have authority to issue a proclamation as to the existence of a state of war between foreign states and to name those states. Paragraph (b) of section 1 further provides that whenever the conditions which caused the President to issue any proclamation under the authority of this section has ceased to exist he shall revoke the same. The provisions of section 1 of the pending resolution, therefore, do not relate to the matters sought to be covered by the amendment offered by the gentleman from Ohio.

The Chair invites attention to the fact also that succeeding sections of the joint resolution contain provisions with respect to other matters, and especially invites attention to the provisions of section 4 which, among other things, provide that whenever the President shall have issued a proclamation under the authority of section 1 it shall thereafter be unlawful except in accordance with such rules and regulations as the President shall prescribe to export, or transport, or attempt to export or transport, and so forth, articles or material.

The Chair is very clearly of the opinion that if the gentleman's amendment be in order it would have to be offered to section 4 and not to section 1. The Chair, therefore, sustains the point of order.

Mr. VORYS of Ohio. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. VORYS of Ohio. Mr. Chairman, I offer another amendment, which consists of changing the letter "(c)" to "section 2" and adding a new section at this point in the bill.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: On page 2, after line 15, insert the following:

"Sec. 2. Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export or attempt to export, or cause to be exported, arms or ammunitions from any place in the United States to any belligerent state named in such proclamation."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment.

Mr. BLOOM. Mr. Chairman, have we completed section 1?

The CHAIRMAN. Section 1 has been read and is still open to amendment.

Mr. VORYS of Ohio. Mr. Chairman, this amendment contains exactly the same language of the other amendment.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the same point of order against the amendment.

The CHAIRMAN. The Chair invites attention to the fact that the pending amendment is offered as a new section. It would be in order at this time first to consider perfecting amendments to section 1. The amendment offered by the gentleman from Ohio will be held in abeyance until any perfecting amendments to section 1 have first been acted upon.

Mr. BARTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARTON: Page 2, line 3, after the word "President", insert "or Congress by concurrent resolution."

Mr. BARTON. Mr. Chairman, I would just like to read to the Committee once more the first line of section (1) (a) as it will read with this amendment:

SEC. 1. (a) That whenever the President or Congress by concurrent resolution shall—

Mr. BLOOM. Mr. Chairman, will the gentleman from New York yield?

Mr. BARTON. I yield.

Mr. BLOOM. The committee will be willing to accept the gentleman's amendment.

Mr. BARTON. Thank you. That saves the Committee from hearing an address.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. SCHIFFLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHIFFLER: Strike out page 2, line 1, all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, to and including, and all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 on page 14, and insert and include the following as a new paragraph:

"EXPORT OF OTHER ARTICLES AND MATERIALS

"SECTION 1. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of Senate Joint Resolution 51 as enacted into law, first session, Seventy-fifth Congress, and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

"(b) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, and he shall thereafter find that the placing of restrictions on the export of articles or materials from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives or commerce of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to the transportation on or over land bordering on the United States, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists, any articles or materials whatever until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on any articles or materials the export of which is prohibited by this act, or on articles or materials carried by an American vessel in violation of subsection (a) of this section, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials and no loss incurred thereunder or by the owner of the vessel carrying the same shall be made a basis of any claim put forward by the Government of the United States.

"(c) The President shall from time to time by proclamation extend such restrictions as are imposed under the authority of this section to other states as and when they may be declared to become belligerent states under proclamations issued under the authority of section 1 of this act.



"(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under the authority of this section."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order that the amendment is not germane to the section to which it is offered.

The CHAIRMAN. Does the gentleman from West Virginia [Mr. SCHIFFLER] desire to be heard on the point of order?

Mr. SCHIFFLER. Mr. Chairman, the proposed amendment would reenact in the exact language of our present law or the law which expired on May 1, the so-called cash-and-carry act. It would strike out all of the provisions of the so-called Bloom bill. I contend it is pertinent and germane, because it may be considered as an amendment as well as a substitution for all of the provisions of House Joint Resolution 306.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from West Virginia [Mr. SCHIFFLER] offered an amendment which, as the Chair understands it, in effect is to strike out all after the enacting clause of the pending resolution down to and including a certain part of page 13, which would include the striking out of a number of provisions or sections of the bill which have not yet been read.

Based upon the decision of the Chair rendered on the first amendment offered to the pending resolution, in which the gentleman from Pennsylvania [Mr. ALLEN] offered an amendment, to which the gentleman from New York [Mr. FISH] made a point of order, the Chair is clearly of the opinion that the pending amendment in the form in which offered is subject to the point of order, and therefore sustains the point of order.

Mr. TINKHAM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TINKHAM. Can I at this time offer a substitute bill for the present bill and have it pending?

The CHAIRMAN. It would depend to some extent on the form in which the gentleman offered it. It could be pending all right.

Mr. TINKHAM. I offer this as a substitute for the present bill.

The CHAIRMAN. Does the gentleman offer an amendment to strike out section 1 of the pending resolution and offer a substitute for the bill?

Mr. TINKHAM. For the bill. That is exactly what I propose.

The CHAIRMAN. In the event the substitute should be agreed to, in succeeding sections of the bill amendments will be offered to strike them out?

Mr. TINKHAM. Exactly.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM].

The Clerk read as follows:

Mr. TINKHAM offers the following amendment: Strike out section 1 and insert:

"That whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"The President shall, from time to time, by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation No. 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"Whoever, in violation of any of the provisions of this joint resolution, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223-225; U. S. C., 1934 ed., title 22, secs. 238-245).

"In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this joint resolution, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed or forfeitures incurred, prior to such revocation.

#### "EXPORT OF OTHER ARTICLES AND MATERIALS

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this joint resolution and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state named in such proclamation issued under the authority of section 1 of this joint resolution, or to any neutral state for transshipment to, or for the use of, any such belligerent state. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

#### "FINANCIAL TRANSACTIONS

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this joint resolution, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government or political subdivision or person, or to solicit or receive any contribution for any such government or political subdivision or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government or political subdivision, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

"(d) Whenever the President shall have revoked any such proclamation issued under the authority of section 1 of this joint resolution, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

#### "EXCEPTIONS—AMERICAN REPUBLICS

"SEC. 4. This joint resolution shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

#### "NATIONAL MUNITIONS CONTROL BOARD

"SEC. 5. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the 'Board') to carry out the provisions of this joint resolution. The Board shall consist of the Secretary of State, who shall be chairman and executive officer

of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this joint resolution, or by other law, the administration of this joint resolution is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this joint resolution, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

"(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate. Every person required to register under the provisions of this section shall pay a registration fee of \$500, unless he manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the 12 months immediately preceding his registration, in which case he shall pay a registration fee of \$100. Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for 5 years, which shall be renewable for further periods of 5 years upon the payment for each renewal of a fee of \$500 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of more than \$50,000 during the 12 months immediately preceding the renewal, or a fee of \$100 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the 12 months immediately preceding the renewal. The Secretary of the Treasury is hereby directed to refund, out of any money in the Treasury not otherwise appropriated, the sum of \$400 to every person who shall have paid a registration fee of \$500 pursuant to this joint resolution, who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than \$50,000 during the 12 months immediately preceding his registration.

"(d) It shall be unlawful for any person to export or attempt to export, from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this joint resolution, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this joint resolution, without first having obtained a license therefor.

"(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

"(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this joint resolution or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

"(g) Whenever the President shall have issued a proclamation under the authority of section 1 of this joint resolution, all licenses theretofore issued under this joint resolution shall ipso facto and immediately upon the issuance of such proclamation, cease to grant authority to export arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state and said licenses, insofar as the grant of authority to export to the state or states named in such proclamation is concerned, shall be null and void.

"(h) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this joint resolution.

"(i) The provisions of the act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

"(j) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this joint resolution, and full information concerning the licenses issued hereunder.

"(k) The President is hereby authorized to proclaim, upon recommendation of the Board from time to time, a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

#### "AMERICAN VESSELS PROHIBITED FROM CARRYING ARMS TO BELLIGERENT STATES

"SEC. 6. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this joint resolution, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war to any belligerent state, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) Whoever, in violation of the provisions of this section, shall take, or attempt to take, or shall authorize, hire, or solicit another to take, any American vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than \$10,000, or imprisoned not more than 5 years, or both; and, in addition, such vessel, and her tackle, apparel, furniture, and equipment, and the arms, ammunition, and implements of war on board, shall be forfeited to the United States.

#### "USE OF AMERICAN PORTS AS BASE OF SUPPLY

"SEC. 7. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before departing from a port of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men or any part of the cargo to any warship, tender, or supply ship of a belligerent state.

"(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

#### "SUBMARINES AND ARMED MERCHANT VESSELS

"SEC. 8. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

#### "TRAVEL ON VESSELS OF BELLIGERENT STATES

"SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this joint resolution it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe: *Provided, however,* That the provisions of this section shall not apply to a citizen of the United States traveling on a vessel whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further,* That they shall not apply under 90 days after the date of the President's proclamation to a citizen of the United States returning from a foreign state to the United States. Whenever, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

#### "ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

"SEC. 10. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any belligerent state named in such proclamation, to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition therefor which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

#### "REGULATIONS

"SEC. 11. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred



on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct.

#### "GENERAL PENALTY PROVISIONS"

"Sec. 12. In every case of the violation of any of the provisions of this joint resolution or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than \$10,000, or imprisoned not more than 5 years, or both.

#### "DEFINITIONS"

"Sec. 13. For the purposes of this joint resolution—

"(a) The term 'United States,' when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"(b) The term 'person' includes a partnership, company, association, or corporation, as well as a natural person.

"(c) The term 'vessel' means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

"(d) The term 'American vessel' means any vessel (including aircraft) documented under the laws of the United States.

"(e) The term 'vehicle' means every description of carriage (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on or over land.

"(f) The term 'state' shall include nation, government, and country.

#### "SEPARABILITY OF PROVISIONS"

"Sec. 14. If any of the provisions of this joint resolution, or the application thereof to any person or circumstance, is held invalid, the remainder of the joint resolution, and the application of such provision to other persons or circumstances, shall not be affected thereby.

#### "APPROPRIATIONS"

"Sec. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this joint resolution."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order that the amendment is not germane to the section to which it is offered and in the interest of time and economy I raise the point of order at this time and insist on it.

Mr. TINKHAM. What is the point of order?

Mr. LUTHER A. JOHNSON. It is not germane to the section to which it is offered. That is an entirely new bill.

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. TINKHAM] desire to be heard on the point of order?

Mr. TINKHAM. Mr. Chairman, I do. The bill I have offered is the present law and I offer it as a substitute for the bill now pending before the Committee. Certainly it is germane, after the first section of the proposed bill has been read, to offer as a substitute another bill.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. TINKHAM. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. When did the gentleman become converted to the present law? He voted against it when it was passed originally.

Mr. TINKHAM. I did not understand the question.

Mr. LUTHER A. JOHNSON. The gentleman voted against this law when it was passed before.

Mr. FISH. Has the Chair ruled?

The CHAIRMAN. The Chair is endeavoring to hear the gentleman from Massachusetts, [Mr. TINKHAM].

Mr. TINKHAM. May I say to the Chair, it is always in order, after the reading of the first section of the bill, to offer a bill as a substitute for the measure pending before the Committee and I have proposed in my amendment that the first section of the bill now pending before the committee be stricken out and the text I have offered, which is the present law, be substituted therefor.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule. The gentleman from Massachusetts offers an amendment to strike out section 1 of the pending resolution and substitute for the joint resolution the amendment proposed by him, which, as the gentleman states, is the existing law.

To that amendment the gentleman from Texas makes a point of order on the ground that the amendment is not germane to the pending joint resolution.

The Chair invites attention to the fact that the joint resolution contains a provision repealing existing law; there-

fore the Chair is clearly of the opinion that an amendment embracing existing law is certainly germane to the pending joint resolution and overrules the point of order.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent that my amendment may be held in abeyance and be considered as pending, in order that the Vorys amendment may be considered first.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his amendment may remain pending, for consideration after the consideration of the amendment offered by the gentleman from Ohio [Mr. VORYS].

Mr. LUTHER A. JOHNSON. Reserving the right to object, Mr. Chairman, I do not understand just what situation that leaves us in.

The CHAIRMAN. The practical effect of it, if the Chair may be permitted to suggest it to the gentleman, is that there would first be a vote on the amendment offered by the gentleman from Ohio, which seeks to add a new section to the joint resolution. The amendment offered by the gentleman from Massachusetts seeks to substitute another provision for the pending resolution.

Mr. HOOK. Mr. Chairman, I object to the unanimous-consent request.

The CHAIRMAN. Objection is heard. The gentleman from Massachusetts is recognized for 5 minutes in support of his amendment.

Mr. TINKHAM. Mr. Chairman, in this amendment I have proposed the existing law. It retains the arms embargo but eliminates the civil-strife provision of the law, as well as the cash-and-carry section. Otherwise it is the law exactly as we have it today. As the House knows, by limitation of law the cash-and-carry section of the present act was eliminated last May. Although I am opposed to the cash-and-carry section, if anyone wishes to add it as an amendment to my amendment in the event that my amendment is adopted, I shall be pleased to have him do so if he believes that it will facilitate the passage of the bill.

The present law, which is what I now propose as an amendment to this resolution, was originally passed by the Senate and by the House, amended, during the Seventy-fourth Congress without a record vote. The Senate agreed to the House amendments 79 to 2, and the bill was approved August 31, 1935.

Public Resolution No. 74, Seventy-fourth Congress, approved February 29, 1936, extending and amending Public Resolution No. 67, was passed by this House by a vote of 353 to 27 and by the Senate without a record vote.

Public Resolution No. 27, Seventy-fifth Congress, approved May 1, 1937, which amended Public Resolution No. 67 as amended, was passed by the Senate by a vote of 63 to 6 and by the House, amended, 376 to 13.

It is this legislation which the House passed by such a large vote that I am offering tonight to this Committee.

What has come over the Members of the House that they should now refuse to adopt this same legislation which was previously passed by the Congress by such impressive votes? In my opinion, there has been at work a poisonous, systematic propaganda, emanating largely from alien sources, to change the attitude of those who previously voted for a bill identical with the bill which I now propose. There can be no other explanation. Certainly conditions have not so changed since the present law was passed as to justify the fundamental changes which have been made in the bill now before us, giving the President unlimited authority and personal power and eliminating the arms-embargo section.

I have not yet had a direct answer to my question as to how the peace of the United States will be furthered by sending arms and ammunition to England, France, and Russia. If we do not pass a law embodying an arms embargo, as I propose, we are taking the first step toward war. The sale of arms and ammunition was one of the chief factors that involved us in the last war.

I wish to add that in 1915 I stood on this floor and saw introduced the various legislative proposals which we now

know one by one led us into war. These proposals seemed very innocent to us at the time, but they all looked toward war, and to war they drew us.

In my opinion, in opposing the pending bill we are fighting the second battle of Bunker Hill and giving notice to the world that we will not surrender our resources and men to fight the battles of other nations.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TINKHAM. Why should the present law be repudiated? What is the reason for this new proposal? As I stated, back in 1915 and 1916 we saw legislative proposals advanced that seemed plausible on their face, but as we now analyze them we know that they were leading us inevitably to war. Let the committee explain why we should abandon the present law, with its salutary arms embargo, and substitute the proposed bill. Has the committee been influenced by reading the editorials and articles of columnists who are a part of an alien propaganda organization in this country, just as they were from 1914 to 1917? If they have been, and if, as I believe, this bill is a product of alien propaganda and not of American sentiment, of the sentiment that is based on and has its roots in the long-time tradition that the United States should not interfere in the political affairs of other nations, then it seems to me that the House should reject the pending bill and substitute for it the present law exactly as written, which is the proposal I have offered.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Texas.

Mr. LUTHER A. JOHNSON. Did the gentleman vote against the present law when it was passed?

Mr. TINKHAM. I did because of the cash-and-carry section, a section that is not included in my proposal.

Mr. LUTHER A. JOHNSON. The gentleman would rather not have that in his amendment as now offered?

Mr. TINKHAM. That is correct. I have eliminated that section.

Mr. LUTHER A. JOHNSON. Has the gentleman anything in lieu of that?

Mr. TINKHAM. No; nothing in lieu of it, except international law.

Mr. Chairman, I want this House to consider what are the reasons for the proposal that the present law be superseded by a new statute. Read your daily papers, read your columnists, and you will find that it is the very papers and the very columnists who used all their influence to project us into the last war. They are for this proposed bill because they desire to project us into the next for for alien purposes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I yield to the honorable Representative from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that the conditions in the Orient and the conditions in Europe are different today from what they were when the present so-called Neutrality Act was passed?

Mr. TINKHAM. They are a little more intense, but essentially they are not different at all. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment. I would like before sitting to submit the unanimous consent request that all debate on this amendment close in 3 minutes, which I would like to use.

Mr. CORBETT. I object, Mr. Chairman.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I have a very important amendment and I would like to have 5 minutes.

Mr. LUTHER A. JOHNSON. My request referred to the pending amendment.

Mr. SCHAFER of Wisconsin. I have an amendment to offer to the Tinkham amendment and I want at least 5 minutes on that.

Mr. CORBETT. Mr. Chairman, I would like to have 5 minutes on this amendment.

Mr. LUTHER A. JOHNSON. Then, Mr. Chairman, I ask unanimous consent that all debate upon the pending Tinkham amendment close in 15 minutes, of which I may have 2 minutes to close.

The CHAIRMAN. Does the gentleman from Texas ask unanimous consent that all debate on the pending amendment offered by the gentleman from Massachusetts and all amendments thereto close in 15 minutes?

Mr. LUTHER A. JOHNSON. Yes, Mr. Chairman; and that I may have 2 minutes of that time.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Chairman, I would like to have 5 minutes of the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CORBETT. Mr. Chairman, I rise at this time particularly to raise several questions which are germane both to these amendments and those that are to follow. I particularly want to call the attention of the gentleman from Texas to my remarks because I expect to address to him a question or two. The current proposal, or the Bloom bill we have here, is a measure which will strike out the existing law which the gentleman from Massachusetts seeks to re-establish by his substitute bill. Throughout this debate those who are proposing the change have challenged those of us who are opposed to the change to give the reasons why a change would not be good. I believe it falls upon the affirmative in this debate to sustain the burden of proof and tell us why they feel that this change is necessary at this moment, and if the gentleman is willing and ready I would like to yield at this point for an answer.

Mr. LUTHER A. JOHNSON. I am not the affirmative. The gentleman from Massachusetts [Mr. TINKHAM] is the affirmative, and I refer the gentleman to his colleague from Massachusetts.

Mr. CORBETT. The gentleman misunderstands. I would like to know why, and at sometime during this debate the question should be answered, Why has this proposal to change the existing rules come in at this time and what is the haste?

Mr. LUTHER A. JOHNSON. I will answer the gentleman by saying that if he had been on the floor the other day when we adopted the rule and had heard my speech I think he would be convinced that the change is a good one. I cannot repeat the statement here.

Mr. CORBETT. I was here and I heard it and I was not convinced. [Laughter.]

However, in that connection, as I pointed out earlier, we have three choices before us today, or perhaps four. We have the law as it was at April 30 of this year, the law as it would be retained by the Tinkham amendment, international law, and the Bloom bill.

The gentleman from Texas, I submit, in his speech yesterday or the day before, made the statement that it would be highly unneutral to change the laws or the rules during the game. I submit that the game is on. I submit that there is war in Asia. I submit that mobilization is an act of war, and therefore the game is on in Europe, as well as Asia, and we are here today proposing to change rules. I submit that by the gentleman's own words we are here today proposing to do an unneutral thing.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. Yes; I yield.

Mr. LUTHER A. JOHNSON. I differ with the gentleman about there being a state of war. I think we are very close



to war, and that is the reason I want to act before we get into war. I think the game has not been started, but the referee and the players are already on the ground ready for the whistle.

Mr. CORBETT. Would you not call the situation in China a state of war? That is the game we are talking about.

Mr. LUTHER A. JOHNSON. The gentleman knows that in committee we had many, many witnesses who testified with reference to the conflict between China and Japan, and that it was agreed by both Democrats and Republicans that while there was a state of war existing it was a de facto and not a de jure war, and that the President had not abused his discretion in not so proclaiming.

Mr. CORBETT. I wonder if the gentleman would sometime—I am going to have to leave the floor for a little while—inform the Committee here what the effect of this change of the rules will be on the current situation in Asia? Will this throw open to Japan the right to purchase arms, ammunition, and implements of war in the United States or will it not?

Mr. LUTHER A. JOHNSON. If invoked, yes; if not, no.

Mr. CORBETT. If it is not invoked, then we are in a condition of peace, and there is no reason why Japan cannot come here and purchase arms, munitions, and implements of war. [Applause.]

[Here the gavel fell.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin to the amendment offered by Mr. TINKHAM of Massachusetts: At the end of Mr. TINKHAM's amendment insert: "Provided further, That no implements of war, munitions, or war supplies, shall be sold or transported, directly or indirectly, to any foreign government or any political subdivision thereof while such government is in default in the payment of its obligations or any part thereof to the Government of the United States."

Mr. SCHAFER of Wisconsin. Mr. Chairman, if this amendment is accepted, we can rest assured that America will not become entangled in wars of foreign nations. I am opposed to subsidizing future wars of foreign nations, particularly nations which now owe the almost bankrupt Uncle Sam's Treasury more than \$13,000,000,000, which was handed to them during the World War Democratic administration. I am opposed to directly or indirectly financing or supplying these debt-defaulting foreign nations' future wars under a cash-and-carry system or any other system. If our foreign, welching debtor nations have the cash to buy arms, munitions, implements of war, and war supplies for future wars, let them use that cash to pay us what they owe for the munitions, war supplies, and implements of war which they carried from America during the World War. [Applause.]

I have here a report from the Secretary of the Treasury which indicates that Great Britain, on March 1, 1939, owed the American taxpayers' Treasury \$5,419,388,374.72; this debt consisting of \$4,368,000,000 of principal and \$1,051,388,374.72 of interest.

On March 1, 1939, Soviet Russia owed the United States \$385,372,179.65, consisting of \$192,601,297.37 principal and \$192,770,882.28 accrued interest.

France owed the United States, on March 1, 1939, \$4,160,824,820.69, consisting of \$3,863,650,000 principal and \$297,174,820.69 accrued interest.

On March 1, 1939, Germany owed the United States \$1,251,417,749.70, which consisted of \$1,225,023,750 principal and \$26,393,999.70 interest.

On March 1, 1939, Italy owed the United States \$2,022,745,422.62, consisting of \$2,004,900,000 principal and \$17,845,422.62 interest.

Mr. Chairman, in view of our national debt, which is now more than \$40,000,000,000, in addition to many more billions of obligations which Uncle Sam has guaranteed, is it not time that Uncle Sam moves to collect the billions of dollars which foreign governments owe him instead of continuing to play Santa Claus to them, as he has under the New Deal, and

as proposed in the pending Bloom war-promotion bill, which has been dressed up as a neutrality measure?

Mr. Chairman, my time is limited, so I am unable to mention all of the billions of dollars owed to the United States by all of our foreign-debt defaulting nations. Many other foreign nations, in addition to those which I have specifically mentioned, owe a total of many billions of dollars. All of these obligations which I have mentioned are owed to the Federal Treasury. Many billions of additional dollars which are owed by foreign nations and their political subdivisions to American private investors are also in default.

Mr. Chairman, a great Democratic President, Andrew Jackson, told foreign debt-defaulting nations to pay their honest debts. He told France what he would do if she did not pay, and then France paid. Our Democratic New Deal brethren would be rendering a greater service to the American people and the memory of President Jackson if they would devote as much time and energy to collecting the billions of dollars owed by foreign nations as they do to collecting \$100 per plate for Jackson Day dinners. [Laughter and applause.]

Mr. Chairman, the American people do not want to be dragged into another European war which is now in the making. This Bloom bill is a fake neutrality bill. It is a war-promotion bill clothed in the robes of neutrality. This bill is just what the international bankers, international war-mongers, and war profiteers desire.

The present Democratic administration is in control of the same international forces which plunged America into the World War in the name of "Making the world safe for democracy," and "A war to end all wars." The fathers and mothers of America do not want their sons slaughtered or maimed on foreign battlefields in order to pull foreign nations' chestnuts out of the fire and make blood money for international bankers, munitions makers, and war profiteers.

Mr. Chairman, I am opposed to giving any President the right to designate aggressor nations or declare war zones, as such authority will inevitably lead to war. Since international bankers, arms and munitions makers profit most by war, I am particularly opposed to giving President Roosevelt such authority; as he is a former international banker whose family has been joined in the holy bonds of matrimony with the war-munitions family of Du Pont.

Mr. Chairman, America should keep out of all foreign entanglements, engaging in wars in other lands, and stop rattling the sword and meddling in the affairs of foreign nations. We should stop playing Santa Claus to foreign nations and collect the billions of dollars which they owe us. The enactment of my pending amendment should materially help Uncle Sam to collect.

The enactment of this amendment would serve notice on England and France, who owe Uncle Sam a total of more than \$10,000,000,000 and who have a close alliance with the ungodly, unchristian, Communist red butchers in Moscow, that they must pay up, and that they will not get money or sinews of war from Uncle Sam in order that they can prepare for and carry on their future wars. [Applause.]

Mr. Chairman, we should adopt the pending amendment which I have offered and relieve our American taxpayers of some of their pressing burdens and help assure that the youth of America will not again be sent to slaughter on foreign battlefields for the benefit of international bankers, munitions makers, war profiteers, and foreign countries.

Mr. Chairman, the place for American manhood is on top of American soil and not under foreign mud, whether it is in England, Germany, France, Soviet Russia, or any other country on the face of the earth. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, this amendment is very lengthy and undertakes to supplant the entire resolution, by substituting the entire law as it now stands; but it does not include section 2 of the present law which expired on May 1, which was known as the cash-and-carry section, requiring those foreign countries who wanted to come here and buy our goods, to come here and get them and carry them themselves.

I think one reason why we have necessity now for neutrality legislation is because we only have a portion of the law. I think section 2, which expired on May 1 was very vital and essential to prevent us from getting into war. That, of itself, would make me vote against the gentleman's amendment, if there were no other reasons. But in addition to that, I do not think we ought to consider this subject in wholesale fashion. Let us take it up in an orderly manner as each section comes along, and offer amendments that are germane. Then we will know what we are doing. As it is this way, we have to take it on faith, because we do not have time to read it all. So I ask the House, in the interest of orderly procedure, to vote down the amendment offered by the gentleman from Massachusetts.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. KEEFE. I just want to say that it is quite clear that every man and woman in this House ought to be familiar with the provisions of the present law. This amendment is printed. We have had a copy of it for several days. We are all familiar with the present law. The only thing that is out of this bill that is in the present law, is the cash-and-carry provision.

Mr. LUTHER A. JOHNSON. Which I think is one of the best provisions of the law. That is one reason why I am in favor of the pending resolution.

I think it is absolutely indispensable that we have something to take the place of the cash-and-carry section, and for that reason I ask the Committee to vote down the amendment.

Mr. SCHAFER of Wisconsin. Will not the gentleman agree to my amendment which would make these foreign countries that owe us \$13,000,000,000 pay us that money if they have cash to invest in war activities?

Mr. LUTHER A. JOHNSON. Anticipating the defeat of the entire amendment offered by the gentleman from Massachusetts, I am not very much interested in perfecting amendments.

Mr. SCHAFER of Wisconsin. If the amendment of the gentleman from Massachusetts is adopted would the gentleman from Texas accept my amendment?

Mr. LUTHER A. JOHNSON. I would have to analyze the amendment before I answer the gentleman.

Mr. TINKHAM. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. TINKHAM. I rise to propose another amendment. I move to strike out the last word.

The CHAIRMAN. The Chair regrets to have to inform the gentleman that debate has been closed on the pending amendment and all amendments thereto.

The question is on the amendment offered by the gentleman from Wisconsin to the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 47, noes 65.

So the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. TINKHAM) there were—ayes 53, noes 71.

So the amendment was rejected.

The CHAIRMAN. The Chair inquires whether there are other perfecting amendments to section 1.

Mr. SCHIFFLER. Mr. Chairman, I have such an amendment, which I offer.

The Clerk read as follows:

Amendment offered by Mr. SCHIFFLER: Strike out all of section 1 and insert the following as a substitute for the joint resolution:

"EXPORT OF OTHER ARTICLES AND MATERIALS"

"SECTION 1. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of Senate Joint Resolution 51 of the Seventy-fifth Congress, first session, and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states, or to a

state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

"(b) Whenever the President shall have issued a proclamation under the authority of section 1 of this act, and he shall thereafter find that the placing of restrictions on the export of articles or materials from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives or commerce of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to the transportation on or over land bordering on the United States, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists, any articles or materials whatever until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on any articles or materials the export of which is prohibited by this act, or on articles or materials carried by an American vessel in violation of subsection (a) of this section, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials and no loss incurred thereunder or by the owner of the vessel carrying the same shall be made a basis of any claim put forward by the Government of the United States.

"(c) The President shall from time to time by proclamation extend such restrictions as are imposed under the authority of this section to other states as and when they may be declared to become belligerent states under proclamations issued under the authority of section 1 of this act.

"(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under the authority of this section."

Mr. LUTHER A. JOHNSON. Mr. Chairman, until I have a chance to study the amendment I reserve a point of order against it.

Mr. SCHIFFLER. Mr. Chairman, the amendment just offered is the cash-and-carry provision in the exact language contained in the law that expired on May 1, 1939. That was the only provision of our existing neutrality law that expired.

The effect of this amendment, if adopted, would be completely to eliminate all further consideration of the so-called Bloom resolution and to enact into law the cash-and-carry provision, known as section 2 of the original resolution of neutrality. It would in effect establish the status quo of our neutrality as of the 30th day of April 1939.

The resolution which you have before you for consideration is one that omits a part of the present law, adds to that law, and attempts to reenact neutrality in an entirely different form from that now existing upon the statute books. The effect of this amendment as proposed at this time would be to put us exactly where we stood on the 30th day of April 1939. This raises the question, Why should we, after having had such statute for a period of 4 years and during the chaotic condition existing in the world today, suddenly decide that it had to be amended and the present neutrality law, which has amply protected us, dropped and substitute provisions inserted? This is directly in line with the other proposition involved in a former proposed amendment, and that was this: The gentleman from Pennsylvania [Mr. ALLEN] proposed by his resolution that we revert to international law



and completely repeal all neutrality legislation. That resolution was voted down. The resolution which I have introduced as an amendment to the Sol Bloom bill takes us to the legislation which has been in force for 4 years under the guise of neutrality, although it has satisfactorily kept us from being engaged in war.

I ask this very pertinent question: Is there some very strong, outstanding reason why we are called upon at this time to repeal the law that has been satisfactory to the present administration, which has well served the purposes of this country, and under which the country has felt safe?

The people are jittery today, and any change in that law, irrespective of the worth or value of the law enacted, is going to make the people of this country very uncertain as to the future conduct of our administration.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. SCHIFFLER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I want to inquire of the gentleman with reference to his amendment, and I have it before me. The way I interpret the amendment, it strikes everything in the resolution except what is known as the cash-and-carry section of the old law. Am I right?

Mr. SCHIFFLER. No; the gentleman is not. It was intended to strike out all of the provisions of the resolution now pending before the House for consideration and substitute the language of the cash-and-carry provision as it existed in our law up until April 30. It provides that as a new provision of law.

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from Texas [Mr. JOHNSON] insist upon his point of order?

Mr. LUTHER A. JOHNSON. Mr. Chairman, as the amendment is now offered as a substitute, I will not insist on my point of order.

The CHAIRMAN. The gentleman from Texas withdraws his point of order.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it would be folly on the part of the House to adopt the amendment offered by the gentleman from West Virginia [Mr. SCHIFFLER], because by so doing we would eliminate the most vital feature of the law with reference to the shipment of arms, and also it would eliminate any legislation with reference to who shall define the phrase "state of war," or who shall declare that a state of war exists, and so forth. It is the gentleman's intention, as he states, to substitute the cash-and-carry provision of the old law, but that would leave the measure in an incomplete state. By the adoption of this amendment we would have only a fragmentary piece of law. There would be no provision of law by which anyone could find out if a state of war existed; there would be no power by which the various remedies and provisions of the neutrality law could be enforced. I think, therefore, the amendment is ill-advised and incomplete, and I ask the members of the Committee on both sides of the aisle to vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. SCHIFFLER].

The question was taken; and on a division (demanded by Mr. SCHIFFLER), there were—ayes 43, noes 64.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Ohio [Mr. VORYS] has an amendment pending to section 2. The amendment is offered in the form of a section to follow section 1.

Does the gentleman from Ohio [Mr. VORYS] desire recognition on his amendment?

Mr. VORYS of Ohio. Mr. Chairman, I do; and I ask unanimous consent to proceed for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FISH. We are now considering a new section, and there is no limitation on time?

The CHAIRMAN. No limitation has been imposed.

Mr. LUTHER A. JOHNSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LUTHER A. JOHNSON. The amendment offered by the gentleman substitutes a new section 2. The section 2 as contained in the resolution will not be considered until after disposition of the gentleman's pending amendment; is that correct?

The CHAIRMAN. The gentleman is correct. The gentleman from Ohio [Mr. VORYS] is recognized for 5 minutes.

Mr. VORYS of Ohio. Mr. Chairman, I impose myself on the House once more merely to remind you what you are now voting on. This amendment would restore an arms embargo to the Bloom bill. It would restore a limited form of embargo and covers only arms and ammunition.

Mr. BARTON. Will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from New York.

Mr. BARTON. As I understand the gentleman's amendment, he has dropped out the words "implements of war" which are in the present embargo provision?

Mr. VORYS of Ohio. I have.

Mr. BARTON. Those are words that could be stretched to cover all sorts of products and materials. The gentleman is confining his amendment to arms and ammunition which are commonly referred to in international law as lethal weapons; is that correct?

Mr. VORYS of Ohio. My amendment is confined solely to lethal weapons.

Mr. BARTON. Specifically, would the gentleman's provision embargo trucks, automobiles, or airplanes?

Mr. VORYS of Ohio. It would not embargo commercial trucks, automobiles, or airplanes, or anything else that could be used for both peace and war, such as a knife, fork, food, or anything else that could be used in war or peace, but is confined solely to weapons of offense and defense under the ordinary definition of arms and ammunition.

Mr. BARTON. Does the gentleman feel that in this modified embargo he has offered a compromise that might possibly be acceptable to those who want an embargo and also to those who do not want to tie the hands of our Government?

Mr. VORYS of Ohio. That is my hope.

This amendment, as I said before, would not suit a strict interventionist or a strict isolationist, but I feel that the time has come when in carrying out the American tradition and ideal of limiting the sale of means of murder we can all get together on this middle ground.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Montana.

Mr. O'CONNOR. Would the gentleman's amendment include such raw materials as foodstuffs?

Mr. VORYS of Ohio. It would not.

Mr. GEYER of California. Would the gentleman's amendment include scrap iron?

Mr. VORYS of Ohio. It would not.

Mr. O'CONNOR. Would it include bombing planes?

Mr. VORYS of Ohio. It would include bombing planes and any other military planes.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from New York.

Mr. BLOOM. The gentleman says his amendment refers only to lethal weapons?

Mr. VORYS of Ohio. Yes.

Mr. BLOOM. Does the gentleman's amendment refer only to lethal weapons as that term is defined in the dictionary?

Mr. VORYS of Ohio. I consider that my amendment is synonymous with the definition in the dictionary of lethal weapons.

Mr. BLOOM. Does the gentleman accept the definition as stated in the question asked him by the gentleman from New York [Mr. BARTON] regarding lethal weapons?

Mr. VORYS of Ohio. Yes.

Mr. BLOOM. The gentleman says that his amendment covers just what the dictionary refers to as lethal weapons; and does not that include practically anything that would kill a man? Would not that mean a shillelagh? Let us be honest about it.

Mr. VORYS of Ohio. A shillelagh is used not only for beating people up but for walking, and therefore, I believe, it would not be included.

Mr. O'CONNOR. And it is peculiar to the Irish.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Missouri.

Mr. BELL. May I ask whether the gentleman's amendment prohibits the sale of munitions entirely, or does it merely prohibit Americans from transporting them?

Mr. VORYS of Ohio. The amendment forbids the exportation of arms and ammunition or attempting to export them or causing them to be exported from any place in the United States to any belligerent state.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Connecticut.

Mr. MILLER. Would the gentleman accept an amendment to his amendment to permit the Munitions Control Board to define "lethal weapons"?

Mr. VORYS of Ohio. No; the definition of "arms and ammunition," under my amendment, would be left to the courts, where it belongs, and the courts in construing this term would, of course, have access to these debates and to international law. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe this will probably be the most important amendment offered before the conclusion of the consideration of the bill. It is a compromise amendment. It is certainly very much of a compromise amendment for me, because for years I have fought to put a ban on the shipment of arms, ammunition, and implements of war. I have even gone further than practically any Member of Congress. I would like to prohibit the shipment of arms, ammunition, and implements of war in time of peace as well as in time of war, but I realize that such a ban would not be accepted. I realize this is a compromise amendment, and I am prepared myself to go that far and go along with the gentleman from Ohio in leaving out the words "implements of war," so that we will have a specific ban upon arms and ammunition.

Everybody knows what "arms and ammunition" means. They are deadly weapons. They are lethal weapons. They are cannon, rifles, shells, and machine guns, and so on, that are manufactured for war and for war purposes alone.

This is a compromise, and of course we hope to get support on both sides. Furthermore, if this amendment does prevail, I expect to go along with the bill. If the amendment is voted down, then I propose to offer a motion to recommit the bill to the committee. If that motion carries, and I believe there is a good chance of carrying it, then the old law will be continued, which puts a ban on the shipment of arms, ammunition, and implements of war. That is the law today. It has no cash-and-carry feature, but it has the arms embargo and all the other provisions of this bill.

On the other hand, if you want a compromise, we offer you this compromise of leaving out "implements of war." This permits everything to be sold except lethal weapons. It permits the sale of oil, of cotton, of copper, and everything else except deadly weapons. I believe that would be accepted and welcomed by the American people as a proper compromise.

The question comes down to this: Do we propose by putting through the Bloom bill as it is, without any embargo provision, to permit the traffic in arms so that we will follow that traffic in arms into the next war? That is what the Bloom bill does as it stands unamended. If there is a world war, we will become the arsenal of the world; we will become the potential slaughterhouse of the world to kill people with whom we are at peace. I believe, for one, that that is an un-Christian act for a great, peace-loving country such as ours, for the sake of war profit and blood money, to sell arms and ammunition to kill people with whom we are at peace; and if we do it, of course, we will be dragged into the war.

So, for all these reasons, briefly stated under the 5-minute rule, I am absolutely opposed to the traffic in arms, but I am willing to go along with the gentleman this far and limit the embargo to the shipment of arms and ammunition, and leave out implements of war. In the past, implements of war have caused a great deal of confusion over finding out exactly what they are. There is still a great deal of misunderstanding about it. There is no misunderstanding in the State Department about what deadly weapons are, or lethal weapons, or arms and ammunition. This is a concrete, clear-cut amendment.

I hope some gentlemen will come to our support on the other side, and if you do we can put this amendment in the bill and we will accept the bill and then we can go home instead of staying around here for the next 2 months waiting for the Senate to act. [Applause.]

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment close in 20 minutes.

Mr. FISH. Mr. Chairman, we think this is the most important amendment of all.

Mr. RAYBURN. Of course it is, because it is practically striking the enacting clause out of the bill.

Mr. FISH. We offer this as a compromise, and therefore we want to be heard on it. You will admit it is the most important amendment.

Mr. RAYBURN. An amendment to strike the enacting clause out of the bill would be a very important amendment, and that is practically what this is.

Mr. FISH. Can we not give each one of these gentlemen 5 minutes?

The CHAIRMAN. The Chair might observe that there has been 15 minutes of debate in support of the amendment and no debate in opposition.

Mr. FISH. I think we ought to have an hour's time.

Mr. BLOOM. Mr. Chairman, I move that all debate on this amendment close in 20 minutes.

Mr. BREWSTER. Mr. Chairman, I offer an amendment to the motion making it 30 minutes.

The CHAIRMAN. The question is on the amendment to the motion.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 57, noes 88.

Mr. MARTIN of Massachusetts. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed as tellers Mr. BREWSTER and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 110, noes 113.

So the amendment to the motion was rejected.

Mr. FISH. Mr. Chairman, I offer an amendment to the motion making the time 45 minutes.

The CHAIRMAN. The question is on the amendment to the motion offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 71, noes 94.

Mr. MARTIN of Massachusetts. Mr. Chairman, I demand tellers.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make a point of order that the motion, and the tactics of the gentleman are entirely dilatory, because we have already voted on the time.



The CHAIRMAN. The gentleman is entitled to demand a teller vote on the amendment to the motion.

Tellers were ordered, and the Chair appointed as tellers Mr. FISH and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 126, noes 143.

So the amendment to the motion was rejected.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 93, noes 123.

Mr. H. CARL ANDERSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. H. CARL ANDERSEN and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 88, noes 146.

So the motion was rejected.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that we now agree upon 25 minutes within which to end the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Chairman, I do hope the Committee will be in order so we can proceed in an orderly manner. I can assure you there is no intention on this side of the aisle or on the part of the Committee to shut off debate. What was done here a few minutes ago was not done with any idea of depriving the Members on that side of the aisle of an opportunity to speak or to limit debate. I thought that after they had had 10 minutes and we were willing to take 5 minutes and add 5 minutes to their time, it was the right thing to do.

Mr. FISH. This is the most important amendment to the entire bill. We have had 2 or 3 hours on other amendments, while this is the most important one and, naturally, we want to be heard on it.

Mr. BLOOM. The gentleman was heard and I did not object to the gentleman speaking in favor of the amendment, although it was my right to speak following the gentleman from Ohio [Mr. VORYS]. I hope we may have order from now on.

The CHAIRMAN. The following-named gentlemen were standing when the limitation of time was fixed: Mr. REED of New York, Mr. HAWKS, Mr. BENDER, Mr. O'CONNOR, Mr. SHANLEY, Mr. LUTHER A. JOHNSON, Mr. BLOOM, and Mr. BREWSTER. Each of these gentlemen will be recognized for 3 minutes.

Mr. HEALEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. HEALEY. Will that consume all the time that was allotted for debate on this amendment?

The CHAIRMAN. That will consume all of the time that has been fixed by the Committee on the pending amendment.

Mr. FISH. Mr. Chairman, you allowed 3 minutes to the gentleman from Ohio [Mr. BENDER]. The gentleman from Ohio does not desire to use that time, and I would like to ask that that time be given to the gentleman from Wisconsin [Mr. KEEFE].

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized for 3 minutes.

Mr. REED of New York. Mr. Chairman, I hope that the temper of this House is not such that we cannot settle down to the seriousness of the question involved here. I want to say in the few minutes that I have that each of you Members on the floor of this House represent a segment of a sovereign people. At no time in years have 130,000,000 people centered their attention upon the actions of this Congress as they are doing today.

I want to bring to you again, as I did earlier in the afternoon, just what war means. I remember being on the English

front. An English officer told me that when they were putting their tunnels through under a hill occupied by the enemy to blow them to bits, in digging that tunnel they tunneled through 30 feet of putrid human flesh.

Those were boys that were buried there. I tell you that the mothers of this country have been under a delusion as to the cause for which their sons were fighting. They are under no delusions now, after 20 years have passed.

There are men here who were down at the docks when the ships came in and mothers stood watching for their boy to come down the gangplank. He did not come. Then what did they do? They lifted their eyes and through a veil of tears they saw Old Glory floating from the mast and then a mother was heard to say, "Thank God my sacrifice has not been in vain."

I say to you they realize now as never before that their boys did sacrifice on foreign soil, but not to make the world safe for democracy; not a war to prevent wars. The people asked you, and by almost unanimous vote you put upon the books a neutrality law to stop the shipment of arms in another war. It has brought comfort to those people. They believe, they have hope that it has some influence in keeping us out of war. I say to you do not destroy that hope now.

I shall vote for this amendment, but not wholeheartedly. This bill ought not to be bandied around. It ought to be recommitted to the committee. It never should be sent to another part of this Congress to be dealt with in a way that will disturb the peace of mind of the people. I say stand upon the law which we now have. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. HAWKS] for 3 minutes.

Mr. HAWKS. Mr. Chairman, I want to again remind the Members of the folks back home. Each of you, Democrats as well as Republicans, represent a district of approximately 300,000 citizens of this country. I hope you are not going to be herded into action on as important an amendment as this one, herded into action which means that you are not voting your constituency, but that you are voting the will of one man. It is your responsibility as Representatives in this Congress to vote the will of the people back home.

We finished talking about international law a short time ago. I do not believe there are 10 men in this House who know the A, B, C's of international law. I know I do not. Fortunately, that amendment was defeated. You are going to vote on an amendment shortly which all during the last campaign the folks back home, not only in my district but in your district as well, demanded. They demanded an embargo. They demanded that this Congress of which you and I are Members today formulate a policy that will make it impossible for this country to participate in the slaughter of other citizens of other nations of this world.

We were almost herded into 10 minutes of debate on this very important amendment. We only obtained 25 minutes. I want to tell you that it is going into the RECORD right now. It is being written by the Official Reporter of Debates, who is sitting in front of me. He is recording the action that you have taken, and if you can go back home, after all the letters you have received, after the full force of the feelings that were packed into that last election is considered, if you can go back there and satisfy your people that 25 minutes' debate on this important amendment was sufficient time, then you are a better man than I ever hope to be. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HEALEY] for 3 minutes.

Mr. HEALEY. Mr. Chairman, passage of that provision of the Bloom bill, which repeals the existing embargo on the shipment of arms, ammunition, and implements of war, will have most serious consequences for the future welfare of this Nation.

The eyes of the world are upon the action of this Congress today. This legislation is of tremendous importance, and is fraught with many possibilities vital to our own future happiness and security. The failure to place an

embargo on the shipment of arms, ammunition, and implements of war to belligerent nations before the actual beginning of such a war, will place this Nation in a most precarious position.

For a neutral to alter or change its policies, once a war is in progress, so as to affect unequally one belligerent or another, is contrary to the accepted practices and precedents of international law and may constitute a hostile or unneutral act toward a belligerent so affected.

Let us not be beguiled by the argument that we should not fetter ourselves now but should be free to meet conditions as they present themselves. Once hostilities have begun therefore, if we repeal the present law prohibiting the shipment of lethal weapons of warfare, it will be too late to enact such a provision again, however desirous it may be for our own peace and security.

This position was clearly and expressly declared in the letter of this Government to Germany written by President Wilson in 1915.

This Government holds and is constrained to hold, in view of past indisputable doctrines of accepted international law, that any change in its own laws or neutrality during the progress of a war which would unequally affect the relation of the United States with the nations at war would be an unjustifiable departure from the principles of strict neutrality by which it has consistently sought to direct its actions. The placing of an embargo on the trade in arms at the present time would constitute such a change, and be a direct violation of the neutrality of the United States.

It must seem perfectly clear, therefore, that the banning of shipments of these articles once a war is in progress would most certainly adversely affect one or more belligerents and thereby violate our neutrality toward the nation so affected.

The sentiment of the people of this country is overwhelmingly opposed to our trafficking in lethal weapons of warfare. To aid those countries whom circumstances would best enable to secure such arms, ammunition, and implements of war, would most certainly have the effect of placing us in the position of a partner in the waging of death and destruction with the nation or nations to whom we supplied such material.

We must approach this problem with honesty and realism and not be misled by an ingenious idealism which may precipitate us into the very heart of another great war. Our paramount problem and duty today is to write such a law as will best enable us to maintain our own peace and neutrality.

Though we may differ in our views as to which is the best policy to pursue, I know that we are all animated and inspired by the highest patriotic motives, and that our objective is to find the best means of insuring the future peace of this country. For my part, I am convinced that the best way we can achieve that objective is to enact now, while we have the opportunity, a bill which above all will provide for a strict embargo on the shipment of arms, ammunition, and implements of war to any belligerent or any other nation which may be acting as a medium through which such a belligerent may receive such articles. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR] for 3 minutes.

Mr. O'CONNOR. Mr. Chairman, let me say in advance that it is not easy and it is far from pleasant for me to take a position against the leaders of my party; however, I yield to no man as to my democracy; but, Mr. Chairman, this is a matter of personal conviction. As I said upon the floor Wednesday of this week, it rises above party politics, and I am going to say and vote my convictions as I see my duty as an American citizen and act for the best interest of my country as I see it. [Applause.]

My objective is to do everything I can to keep my country out of European squabbles. I will fight to the finish the enactment into law of this bill as written because I feel it means war to my country.

Mr. Chairman, let us tear the mask off of this bill and look it square in the eye and drag the thing before the House as it really is. Let us let sunshine on it. This is not a neu-

trality bill: it is an intervention bill. [Applause.] What power is given the President of the United States under this bill? The power is given him to permit the lending of credit and money to England, France, and other countries under the operation of this act. Do you want to again lend money to nations that, after you had furnished them the best blood of American manhood, and after we had furnished them billions of dollars of our people's money, that refer to us as the greatest Shylocks on the face of the earth when we suggested repayment? Do you want to come to their relief again? Have we no memory left? Are we without reason?

I want to state one other thing and I want the Members to get this. The pending amendment involves a great principle and it is this, whether or not the House of Representatives tonight is going to commit itself to a desire for profits and gold and sacrifice the blood of American youth over and above the desire for peace throughout the world; can you have peace and sell the killing agencies which aid the continuance of war? [Applause.]

Let us not be fooled about this bill. Read section 4 and you will see there that the President of the United States is given power to bring us to the financial relief of any nation that he sees fit. Is there anyone in this House that has any doubt as to what nations we are going to favor in case of war, if it breaks out in Europe? Has anyone any doubt about that?

Mr. Chairman, do not be kidded about this proposition. They are not fighting over a moral question; they are not fighting over democracy; they are fighting over land, over trade, and over power. [Applause.]

The adoption of the Bloom bill would simply mean we are voting to preserve the status quo in Europe, about which we know nothing. We are voting, if you please, to preserve and leave to England and France the colonies that they took from the world by conquest and aggression and from Germany and her allies at the close of the World War. Should we sacrifice our Nation and our boys for that? I, for one, refuse. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, fortunately there is one Chamber in which debate is still unlimited. Free speech still remains. I venture to predict before that Chamber has finished the dissection of this measure the Members of the Congress and the people of the country at large will understand fully the implications of the action that is here proposed. I further predict this is going to go to the country as one of the great issues in the next year in connection with the impending campaign, because the people of this country do not want us to take any action that will start us down that road we followed 20 years ago to war.

Mr. Chairman, we adopted a policy of arms embargo 5 years ago which has been repeatedly reemphasized. Last year there was only one dissenting voice, and that voice is now missing. We solemnly determined, from the lessons of the last war, that an embargo upon arms and ammunition was the best measure we could take to prevent war.

How will war come? Exactly as it did before. Gradually our economy will be transformed; billions of dollars will be expended here in creating great munition factories; and, finally, we will find our economy upon such a basis that only by entering the war can we save ourselves from inevitable collapse. That is the program and the plan—not of you gentlemen, not even of those in executive authority. I make no challenge as to their sincerity in the collective security which they advocate. It is the plan of those sinister influences that furnished the propaganda which involved us in the World War, in which some of us volunteered 20 years ago to make the world safe for democracy.

Where is democracy today? Russia and France are ruled by dictators. England is seeking to hold its colonies intact. I ask that America adopt an American policy which will look after our own interest and not those of any other country in



the world; then America will be united and we will go forward as the lost horizon of that civilization that seems almost ready now to disappear. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. LUTHER A. JOHNSON] for 6 minutes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I hope the Committee when voting upon this amendment will lay aside appeals to passion and prejudice and consider this strictly upon its merits. If the Members will do that I have no doubt as to what the result will be. The impassioned appeal made has not been predicated upon facts.

I call attention of the Committee again that in all the speeches that have been made not one of those who has spoken in favor of this amendment has pointed out one reason why repeal of the arms embargo will get us into war. With 2 full days of debate, various gentlemen stated the conclusion that the arms embargo being repealed would get us into war, but no one in general debate or in the discussion under the 5-minute rule has pointed out a reason.

It is not the sale of arms. It is the transportation and delivery of arms and goods that will likely involve us in war. Further, I point out that the arms embargo that we have had has been difficult of enforcement. Representatives of the State Department when appearing before our committee said it was difficult in most instances to know whether or not arms were intended for shipment to belligerent nations or not. The law provides that when arms were shipped to either belligerent nations or neutral nations for reshipment to belligerent nations they are prohibited, and many times it has been difficult, the State Department representatives said, to ascertain whether that is true.

If that was true in the case of the minor wars in Europe, the Albanian War, the Ethiopian War, and the Spanish War, I submit it would be much more difficult in the case of a major war with the major countries involved to enforce and carry out that provision with respect to the shipment of arms.

I furthermore point out, Mr. Chairman, as I said in my opening discussion under the rule, that the appeal is made that to repeal the arms embargo is to play sides. The answer is that it does not play sides. As international law provides, arms can be sold to all countries. If we repeal that provision now we stand upon international law and international right, and no one can claim that international law is unneutral. It is unneutral to leave this law in effect now, because it is in violation and contravention of international law.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I am sorry; I cannot yield. I have so little time.

Let me point this out to the Committee that, as I said and as the gentleman from New York [Mr. BARTON] so well said, if war should break out and if conditions should arise under which the American people should demand the repeal of the arms embargo on account of the conditions then existing, repeal after war had broken out would be an unneutral act. We can visualize conditions that might arise that would cause us to do that. If there is any likelihood of doing that, let us do it now while there is no war, so that our act will not be unneutral, but will be in conformity with international law.

Then, for another reason, Mr. Chairman, for a reason that ought to be a controlling reason with this House, I am for the repeal of the embargo because I believe it will help to prevent war. Gentlemen have said that to leave this embargo in effect would encourage war. When we passed the neutrality law I said that the arms embargo would not prevent war, but would serve to encourage other nations. I hoped other nations would follow our example and pass similar laws, but they did not do so.

I say to this House that in view of the conditions as they now exist, to leave this law on the statute books is not to discourage war but to encourage war by causing war to break out. As authority for that statement I read the testimony of

a very distinguished witness who appeared before our committee, and who is not a member of my own party, former Assistant Secretary of State Hon. William H. Castle. He is a member of the Republican Party. This is what he had to say:

Mr. JOHNSON. But so far as prohibiting the exportation of arms to belligerent nations, you doubt the wisdom of that, because, as you say, the failure to declare what we are going to do is a deterrent to war-inclined nations?

Mr. CASTLE. It is certainly a deterrent to war-inclined nations.

Mr. JOHNSON. In other words, if we had no law now prohibiting the exportation of arms to belligerent nations you think that might be deterrent to the outbreak of war in Europe at this time?

Mr. CASTLE. I think it might be very strongly so.

There is a man who served in the State Department for many years, a man not biased or prejudiced by partisan politics, a man who has studied international conditions, and his testimony is substantiated and corroborated by many witnesses on both sides of the aisle and of different parties. They all agreed that the repeal of this law would be a deterrent and might prevent the outbreak of war in Europe. The best way to prevent our involvement is to do what we can to prevent the outbreak of war in Europe, and I appeal to you not in the name of sentiment or sentimentality but for no other reason than that I believe that in order to safeguard our country and prevent a war we ought to vote down this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that the Vorys amendment may be again read.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: Page 2, after line 15, insert the following:

"Sec. 2. Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms or ammunition from any place in the United States to any belligerent states named in such proclamation."

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mrs. ROGERS of Massachusetts moves that the committee do now rise and report the joint resolution back to the House with the recommendation that the enacting clause be stricken out.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I wonder if the Members of the House realize that under this amendment offered by the gentleman from Ohio [Mr. VORYS], and which reads as follows:

On page 2, after line 15, insert the following:

"(c) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms or ammunition from any place in the United States to any belligerent states named in such proclamation"—

France and England could buy airplanes and automobiles, the things that they want, according to testimony that came to us from the administration, so those who feel that France and England need assistance in that way ought to have no hesitancy in voting for this amendment. We have all been told that France and England do not need arms and ammunition; they do not need the so-called lethal weapons so much as they do airplanes.

Mr. BLOOM. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am sorry, I cannot yield now. I have taken very little of the time of the Committee except for a question or two.

I wonder if the Members of the House also have thought of the fact that probably Germany, if she is planning to strike, will strike at once if we lift the arms embargo.

Naturally, Germany if she is going to fight this war to a finish, if the arms embargo is lifted, will strike immediately or before France and England have a chance to arm further.

Also, I want to remind the House of a resolution that I introduced which provides that we shall remain in continuous session. I have had letter after letter from people all over the country who implore us that Congress stay in session in order to take any action that may be necessary in an effort to keep us out of war. Our staying in session would be a warning also to Mr. Hitler that we intend to watch what he does. Also we can watch other nations, the entire European situation, and the situation in the Far East. Every Member here in this House, just as in 1914 and 1917, has legislated as he thought best for this country, and wants to legislate to do the right thing for America first, last, and always.

I voted against the other so-called neutrality act. I know we cannot legislate neutrality, but with all our hearts we want to keep this country at peace and to do the best thing that is possible under conditions as they arise.

I am going to withdraw my amendment, but it was the only way I could secure recognition at the present time. I believe every Member here should have hours and hours to debate the subject, to consider it from all its aspects. It is by far the most important thing we have had at this session of Congress or that we shall have during this entire Congress. I earnestly hope that we stay in session continuously.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. REES of Kansas. And the gentlewoman is a member of this great committee and she tells this House that this so-called Bloom bill is not a neutrality bill, but an intervention bill?

Mrs. ROGERS of Massachusetts. There is no doubt in my mind that if the bill is passed at this juncture it would obviously be a bill to aid France and England. Not by the farthest stretch of the imagination could it be called a measure of neutrality. I have felt that it is an intervention bill. I voted against it in committee, I shall vote against it in the Committee of the Whole House on the state of the Union, and I shall vote against it in the House. The Vorys amendment imperils the Bloom bill somewhat. I hope the Members will think over my ideas on this subject. They come from a very deep conviction. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 112, noes 121.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. VORYS of Ohio and Mr. BLOOM.

The committee again divided, and the tellers reported that there were—ayes 159, noes 157.

So the amendment was agreed to.

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL: On page 2, after line 15, following the amendment just adopted, add a new section, as follows:

"EXPORTATION OF ARTICLES AND MATERIALS

"Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereupon be unlawful for citizens of the United States or vessels flying the flag of the United States to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States directly or indirectly to any State named in the proclamation, any articles or materials, and it is declared to be one of the purposes of this act to prevent and prohibit the sale or exportation of such articles or materials except upon a cash-and-carry basis."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment.

Mr. BELL. Mr. Chairman, I voted against the motion which was just acted upon, because I believe, and I think

many Members on both sides of this great body believe, that an absolute embargo upon arms would not hold for 30 days in the event that war was declared in Europe. I do believe, however, that a great program was proposed by our great Secretary of State, which, if enacted in all of its spirit, will keep us out of war; and I know that every Member of this body on either side of the House has deeply implanted in his bosom at this moment a great desire that America shall stay out of any war that may trouble the world.

The amendment I have just proposed is the other half of the cash-and-carry plan that was thought to be in this bill. I believe the committee has announced that it will offer an amendment to take out of the bill the so-called war-zone proposition in section 3. This will leave only the cash plan taken care of. My amendment provides that no American citizen shall transport arms to Europe or cause them to be transported to Europe in American ships.

It has been said many times on the floor of the House during this debate that it is not believed we can pass a bill that will be a real neutrality bill that will keep us out of war. The only way we can judge the future is by the past. Almost every Member of this body can think back and remember those fatal days of 20 years ago. You remember the beginnings of that other World War. You remember it was not very long after that war had started until American vessels were being loaded with arms and ammunition, with wheat and bacon and other commodities to the belligerent nations of Europe, and it was not very long until those vessels began to be sunk by submarines. It is said that we have no facts to guide us. We have today facts that are in the minds of every man and woman here tonight. The fact is that if our vessels, unarmed or armed, start across the ocean carrying their products to Europe, those vessels are going to be torpedoed and sunk, or at least some of them are. We know that to be a fact before we start.

The American people are a brave, hardy, and a high-spirited people. How many of you remember statesmen 20 years ago going before the people of this country and saying the dignity of our great Nation must be maintained? A vessel had been sunk on the high seas. So-called international law said we had a right to go there. Perhaps we did, but we know that the sinking of that vessel was one of the great contributing causes that took us into the World War. We know that today. We did not anticipate it, perhaps, then.

The amendment I am offering does this. It prohibits American vessels from carrying any commodity of any sort to belligerent nations. It does not prohibit European nations from coming over here and buying arms or ammunition or wheat or corn or any other commodity so long as they come over here and take it away in their own vessels and pay for it before they leave our shores.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

[Here the gavel fell.]

Mr. BELL. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MOTT. Would not your amendment, if adopted, virtually repeal the amendment that the committee has just adopted, because the amendment prohibits the exporting of arms to foreign countries. Your amendment would provide that if a foreign nation wanted arms here and was willing to pay for them in cash, and carry them away, it could have them. Therefore, would it not virtually repeal the amendment we have just adopted?

Mr. BELL. No. My amendment would not exactly repeal that. This amendment goes further in one direction and not so far in another. My amendment prohibits American vessels from going upon the high seas and carrying any sort of a commodity to a belligerent nation. It does not, however, prevent, as your amendment does, any belligerent nation from coming to America and buying munitions and arms or anything. Your amendment does that, but my



amendment goes further than yours. It prohibits any sort of commodity from being carried in American vessels.

Mr. MOTT. But would it not repeal the arms embargo? The last amendment, if I understand it correctly, prohibits altogether the exportation of arms.

Mr. BELL. I would not say that it does.

Mr. MOTT. But your amendment would permit it under some conditions; is that not right?

Mr. BELL. Yes.

Now, ladies and gentlemen of the Committee, I believe as firmly as I ever believed anything in my life, that as long as American vessels cross the ocean, laden with any sort of arms or munitions or any sort of commodity that warring nations need and must have—and there are times when wheat is just as necessary to a belligerent nation as munitions—our vessels are going to be sunk, and if our vessels are sunk I can see the tempers of the American people begin to rise, and they will demand of the American Congress that we declare war. I want that never to happen again.

The only harm that this amendment of mine could possibly do is perhaps take a few dollars out of the hands of some shipping lines, who may say we are unjustly depriving them of some profits. But I ask you, Is there a man or a woman in this House tonight with heart so hard or soul so dead that he would place in the balance the blood of our youths and the tears and agonies of our mothers against the profits of a few shipping lines? If you are for the mothers and for the sons of this Nation, if you are for the glorious future that this Nation has before it if we will but keep the peace, then I pray you to vote for this amendment. Do not let our vessels go across the waters laden with any kind of commodity which will cause the sinking of an American vessel and get us into war.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. REES of Kansas. In view of what the gentleman has just stated, why not embargo these materials just as much as you embargo arms, and be done with it?

Mr. BELL. I will answer you in the words of two of the most distinguished gentlemen on your side of the House. An absolute embargo I do not think will last for 30 days, but I do think that the amendment I am now proposing will keep us out of war, because there are men in this House who believe that we ought to sell arms and munitions.

[Here the gavel fell.]

Mr. BELL. Mr. Chairman, I ask unanimous consent to speak for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. LESINSKI. Mr. Chairman, I object.

Mr. KEE and Mrs. ROGERS of Massachusetts rose.

The CHAIRMAN. For what purpose does the gentleman from West Virginia rise, a member of the committee?

Mr. KEE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. KEE. Mr. Chairman, ladies and gentlemen of the Committee, I have been asked to read the amendment, and I will read it quickly:

Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereupon be unlawful for citizens of the United States or vessels flying the flag of the United States to export or transport or attempt to export or transport, or cause to be exported or transported from the United States directly or indirectly to any state named in the proclamation any articles or materials, and it is declared to be one of the purposes of this act to prevent and prohibit the sale or exportation of such articles and materials except on a cash-and-carry basis.

Now, ladies and gentlemen of the Committee, every amendment that has been offered to this bill today has been just another handcuff or shackle attempted to be put upon the people of the United States. Just another attempt to interfere with their freedom of action.

The amendment offered by the gentleman from Missouri [Mr. BELL] simply means driving the American flag and American shipping from the seas of the world. Under the law that you have now and under this bill as it has been offered and as it will pass this House you are providing that shipments of all classes of commodities can be made from this country, the only inhibition being that prescribed by the amendment put in by the gentleman from Ohio [Mr. VORYS] denying shipments of arms and munitions. There is no embargo against the shipment of any other commodity.

You have released the embargo upon practically every commodity this country produces, and now you are asked by this amendment to embargo all American shipping. You are permitting the shipment from this country to every other country in the world in time of war, and to the belligerents, of all the materials necessary to manufacture the implements of war, all the materials necessary to manufacture explosives, all the materials necessary to manufacture guns; you are permitting the shipment of cotton, of sugar, of wheat, and corn and other foods, of chemicals and oils, and lubricants and machinery; of everything, in fact, except the two items—ammunition and explosives. You are now asked to say by this amendment that these articles, practically every commodity grown or manufactured in this country, can be carried by the ships of every nation upon earth except ships flying the American flag. Ships under the American flag, therefore, should this amendment be adopted, must upon the outbreak of war—immediately upon the outbreak of hostilities—be tied to the wharves of this country or anchored in our harbors and taken out of commission. The flag will come down from every ship of American registry. This is not only a burden upon American shippers but it puts them out of business. It would be absolutely a foolish and futile thing to do.

The bill under consideration contains a provision requiring that before any goods or commodities of any kind can be shipped from this country to a belligerent nation in time of war, title to the goods and commodities must be passed to the government of a foreign country or some foreign corporation or person. When anything is shipped under the act we are considering, there will not be an American citizen who will have a single dollar's worth of interest in the articles.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that the gentleman from West Virginia may proceed for 3 additional minutes.

Mr. CRAWFORD. Mr. Chairman, reserving the right to object, and I shall not in this case, for 3 days I have tried to get 1, 2, or 3 minutes to talk on this bill. Hereafter I shall object to any requests to speak in excess of 5 minutes.

The CHAIRMAN. The Chair feels in fairness that the Chair should state to the gentleman from Michigan that his name has been called twice for recognition, but the gentleman did not respond.

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. KEE. For a brief question.

Mr. KEEFE. The bill under consideration—the Bloom bill—contains a so-called cash-and-carry provision which requires foreign nations to pay cash over here in America before they can take any goods away. Why were they required to come here and pay cash?

Mr. KEE. We require them to come here and pay cash because we want the title to those goods to pass to foreign nations so that American citizens will have no interest in the goods in the event they are lost or damaged in transit.

Mr. KEEFE. Is there anything in this bill, then, which prevents a ship of the American merchant marine manned by American seamen being loaded with goods for which cash has been paid, and carry those goods right over into the face of the guns of the enemy? Is there anything in this bill that prevents that?

Mr. KEE. There is nothing in this bill which would prevent it.

Mr. KEEFFE. Then unless the bill is amended American ships will be permitted to load with contraband or goods which have been paid for here and take them right into the war zone. Are you not subjecting American seamen to this hazard?

Mr. KEE. It is being done under the present law, and they have a right to do it under the present law.

The question the gentleman from Wisconsin has asked shows the absolute futility of adopting an amendment of this kind. You are absolutely stopping the shipment of any American goods, manufactured goods, or any products of the United States, in any American bottoms, tying our ships to our wharves, and driving our flag from the seas; but you are letting the vessels of every other nation of the world come here and get these goods and carry them away. Why destroy the American merchant marine by denying to ships of American registry and sailing under the American flag the right we accord to all other nations of the world.

The amendment is unfair and disastrous in its effect, and should be voted down.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I rise in opposition to the amendment.

Mr. BLOOM. Mr. Chairman, will the gentleman from New York yield to see if we can reach an agreement upon time?

Mr. FISH. Certainly.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FISH] for 5 minutes.

Mr. FISH. Mr. Chairman, I am opposed to this amendment because I think it is an utterly unfair discrimination, restriction, and limitation upon the American merchant marine. This amendment says that nothing shall be carried in any American ship. To my mind this is a pusillanimous and cowardly proposal. It takes the American merchant marine and the American flag right off the seas, when the Congress of the United States is spending hundreds of millions of dollars to build up the American merchant marine. It provides too that our wheat, our copper, our cotton, and the other great products of our mines and farms cannot be shipped in American bottoms to these foreign nations.

If the Members of the Congress know just what this amendment does, I do not believe they will vote for it. It should receive very little support. If the gentleman had added the following words to his amendment "that American ships shall carry these products outside of arms and ammunition (deadly weapons) at their own risk" then I would support it and at the proper time I propose to offer such an amendment. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I appreciate it has been a long, hard, anxious day, but I want to remind the Members again of the bill that is now pending before the Committee on Merchant Marine and Fisheries, which would provide war-risk insurance at the taxpayers' expense for foreign vessels as well as our own foreign cargoes, their men and personal effects. Clearly the Members of the House will not want to force the taxpayers to pay war-risk insurance on foreign vessels, their men, their cargoes, and their personal effects. No country in the world has ever had this form of insurance.

Mr. KEEFFE. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. KEEFFE. In response to the suggestion that has just been made, if the Congress adopts the amendment which

would prohibit the use of American merchant ships in which to carry goods that have been bought and paid for under the provisions of this law, bought and paid for because it is the intent of this committee that we shall not become involved in war by having American goods go into the war zone, we still are going to permit the American merchant ships that the taxpayers of this Nation own to take those goods, that no American firm or no American individual has any interest in whatsoever, and transport those goods directly into the face of the war zone in Europe. The bill when you first proposed it had a somewhat sensible provision that permitted war zones to be outlined by somebody into which these ships could not go, but as the bill is framed now these ships can go right into the face of any belligerent nation.

[Here the gavel fell.]

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. Do I understand that the gentleman from Pennsylvania or the gentleman from Texas reserved a point of order against the pending amendment?

The CHAIRMAN. The Chair is not prepared to tell the gentleman what he understood.

Mr. HINSHAW. May I inquire whether a point of order has been reserved against the amendment by the gentleman from Texas [Mr. JOHNSON]?

Mr. BLOOM. There was a point of order reserved.

The CHAIRMAN. The gentleman from Texas [Mr. JOHNSON] reserved a point of order.

Mr. HINSHAW. Is it proper that that point of order be brought up now and be disposed of?

The CHAIRMAN. That is a matter within the control of the gentleman from Texas [Mr. JOHNSON].

Mr. KELLER. Mr. Chairman, I offer an amendment to the amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. KELLER as an amendment to the amendment offered by Mr. BELL: At the end of the pending amendment insert "that upon the declaration of war or upon a condition of war actually existing, it shall be the duty of all Americans to go in the house and shut the door so we won't never have no war no more."

Mr. KELLER. Mr. Chairman, I want to reread this amendment, because it is the only way I know of we can keep out of war. Here it is: "That upon declaration of war or upon a condition of war actually existing, it shall be the duty of all Americans to go in the house and shut the door, so we won't never have no war no more."

That is the only way we are going to be certain to keep out of war. I have sat here and I have been a good deal amused at men who ordinarily talk common sense. A good many of them seem to have gotten off on the wrong foot.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. KELLER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Apparently the gentleman has peace at home.

Mr. KELLER. The gentlewoman is quite right and I am sure speaks from a similar fortunate experience of her own.

Mr. EATON of New Jersey. Will the gentleman yield?

Mr. KELLER. I must yield to the gentleman, because he is one of those who spoke wisely and well today.

Mr. EATON of New Jersey. I wonder if a large cyclone cellar would not be better. They ought to crawl in the hole and pull the hole in after them.

Mr. KELLER. Yes. We have talked about peace in a most war-like manner. A few men, thank goodness, on both sides have talked thoroughly sensibly to us—WADSWORTH, MAAS, EATON, LUTHER JOHNSON—first speech—Izac, and RAYBURN. Men who have studied this proposition and who have read their history know that we cannot through legislation prevent war under all conditions. [Applause.]

Now, nobody wants war. Yet, if a stranger sat here tonight in the balcony and listened to some of the speeches, he would think everybody wants war except the man who



is speaking at the time, because the fellow who talks accuses everybody else indirectly of wanting war and implies broadly that he principally wants to stop war. He is the little hero who stands out in front of the American people, wraps the American flag around himself and says, "All these guys do not know what it is all about, but I do. I am the one who wants peace. Give me the chance and I will bring you peace." A boy in the cloakroom today said, "Nobody is talking about war but the Members of Congress." And the boy was right.

Mr. Chairman, I am ridiculing the various Members and the men who have talked that way because they ought to be ridiculed. The people ought to give them a good laugh, which is coming to them. I hope from now we will talk sense on this question.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield for a brief question?

Mr. KELLER. For a question, yes; but not for a speech.

Mr. SCHAFER of Wisconsin. Will not the American people have a great big horselaugh when they read the gentleman's amendment? [Laughter.]

Mr. KELLER. I hope they do with the gentleman from Wisconsin as the most appropriate leader of the horse chorus. That is the intention of the amendment, of course. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. KEEFE] for 2 minutes.

Mr. KEEFE. Mr. Chairman, I beg the indulgence of the Committee because I did not quite finish the question I was asking the gentlewoman from Massachusetts. I do want to convey this thought to you. If you do not think there is a plan all wrapped up that is involved in this proposed neutrality legislation, you get the bill which is now pending before the Committee on Merchant Marine and Fisheries which proposes to establish a Bureau of War Risk Marine Insurance, and set aside \$100,000,000 in the Treasury of the United States to be used for the purpose of financing the carriage of these goods, in which no American has any interest, over to the warring nations of Europe.

Under the terms of that bill the War Risk Insurance Board would not only insure the hulls of the American merchant marine but would also insure the hulls of foreign-flag ships that would carry those goods in which we have no interest. It is all part of a well-defined plan that, if we get into war, the goods are going to move, and if the merchant marine of the United States is to be swept off the seas you will see it swept off fast enough when we get to carrying these contraband goods in the face of the warring nations of Europe. The sad part of it is, Mr. Chairman, that the poor people whom I represent in Wisconsin will be taxed to pay the bill. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Hook] for 3 minutes.

Mr. HOOK. Mr. Chairman, as I said in the beginning of this debate, and I still believe it, we cannot legislate neutrality. I will not cover that ground again. During this debate and after listening to the speeches of some of the Members on the Republican side of the House, I thought we had risen above party politics. I thought they were interested in neutrality and actually interested above everything in keeping America at peace. I thought they were interested in the fact that they truly wanted real neutrality. Many fine speeches were made to the effect that they did not believe that we could legislate neutrality. Your leading Republicans spoke on the floor of the House along those lines, but to my utter surprise and disgust the amendment for the embargo was placed in the bill. Those very Members who made their speeches so spiritedly to the effect that we cannot legislate neutrality did so for the press only. Hypocritical in the extreme, they walked through the tellers behind their leader on this subject, the Honorable HAMILTON FISH, and voted against the very things they had talked

about on the floor of the House. How can we expect to have a program of neutrality when Members are not any more sincere than that?

When are you going to be honest with yourselves? I ask you this in all sincerity. You leaders over there on the Republican side know to whom I refer. You know that you talked one way and walked down behind the leader and voted the other way because you consider you made statements to the effect that you were not in favor of the things for which you just voted. It is my sincere hope that when we come to the point where you will be forced to put yourselves on record with a vote of either "yea" or "nay" on the embargo amendment, you will at least vote along the lines you talked about on the floor of the House. You will get a chance to do it, and I feel certain you will not be able to back away from it because you would not want it to be known that you double-crossed the people of your district.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. THORKEKELSON] for 3 minutes.

Mr. THORKEKELSON. Mr. Chairman, I have been sitting here the whole afternoon listening to discussion of the many causes which bring about war. There is one issue that has not been raised this afternoon, and that is gold. The cause of all wars is gold and credit. It was credit that caused the World War and it was credit that brought about the first infringement of international law in regard to war. It is well for you to bear in mind that the international dollar is now secured on 15.521 grains of gold and that all international credit is paid in gold. Today the stage is set perfectly for another war because we have \$13,500,000,000 in gold in our Treasury, and foreign nations can take our bonds and take our commodity money that we are using here today, and that can pay for all the war material they want to buy. They now have a credit in the United States of nearly \$13,000,000,000. That is the amount of gold certificates now outstanding, and that money will be used under this amendment to carry war materials from the United States to whoever wants to buy it. That is the thing you want to stop if you want to stop war.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield for a question?

Mr. THORKEKELSON. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. In view of the fact that foreign governments that are arming to the teeth owe the American Treasury \$13,000,000,000, does not the gentleman believe it would be wise if we would follow the advice of former President Jackson and pass legislation to collect the money they owe us for the past war instead of giving them more money to carry on future wars?

Mr. THORKEKELSON. Yes; I do. I believe we should collect the war debt. I also want to say that I believe we should place an embargo on the gold so it cannot leave the United States. Then there will be no war because they will have no money to pay for a war. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD] for 3 minutes.

Mr. CRAWFORD. Mr. Chairman, the only reason I have wanted time the last 2 or 3 days was for the purpose of asking specific questions with reference to the bill. If I can, I should like to get the answers to these questions from the acting chairman of the committee [Mr. BLOOM]. The questions are these:

Does this bill as it has been presented to the House permit the use of the Federal Reserve Banking System in the handling of credits which are created by aliens who come to this country and purchase goods from the manufacturers of this country and then proceed to ship the goods to foreign lands?

Mr. BLOOM. It does not.

Mr. CRAWFORD. The Chairman says it does not permit that.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. AUGUST H. ANDRESEN. The foreigners have credits now in excess of \$7,000,000,000 in the Federal Reserve banks of this country.

Mr. CRAWFORD. If this bill does not permit what I have just inquired about I wish someone on the committee would explain to the House what it means where it says that the 90-day commercial-transaction paper can be used. I have been informed authoritatively by the Federal Reserve banking officials that it does permit the use of the Federal Reserve banking machinery for the purpose of financing these transactions.

I wish to ask the chairman another question. Does this bill permit citizens of the United States to ship these goods or does this bill prevent the citizens of the United States who manufacture the goods from shipping them, but at the same time permits aliens to come into this country and purchase these goods and make the shipments?

Mr. BLOOM. Whatever is purchased in this country, before it leaves any port in the United States, the title must be transferred. All title and interest must be transferred before they are permitted to go from any port in the United States.

Mr. CRAWFORD. That was my understanding of the bill. So as I further understand the bill, an alien could come to my factory where I desire to employ people and produce goods and sell them, and through his power under this bill, he can come in and dictate my labor conditions, my labor relations, otherwise I get no business from that alien in connection with the shipment of these goods. It seems we are setting up a perfect control—

Mr. BLOOM. How does that statement apply to any part of this bill? I do not see where the gentleman gets that.

Mr. CRAWFORD. Mr. Chairman, anyone who carefully reads the bill must come to the conclusion only aliens can take title to goods to be shipped. They can finance, build, and operate plants, dictate labor policies, blackmail, sweat down, and coerce the American owners and operators of American industry. American industry, to the extent it sells goods for export, must do so under the terms of the alien who places the order and puts up the cash and ships the goods. Such a proposal is impossible and we should reject it.

The CHAIRMAN. All time has expired on the pending amendment.

The question is on the amendment offered by the gentleman from Missouri [Mr. BELL].

The question was taken and the amendment was rejected.

Mr. IZAC. Mr. Chairman, I offer an amendment.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. AUGUST H. ANDRESEN. I do not recall that we voted on the amendment offered by the gentleman from Illinois [Mr. KELLER]. The gentleman did not withdraw it?

The CHAIRMAN. The gentleman from Minnesota is correct. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Missouri [Mr. BELL].

The amendment was rejected.

Mr. IZAC. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IZAC: Page 2, after line 15, insert a new section, as follows:

"Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, to export or ship from, or take out of the United States, or attempt to export or ship from or take out of the United States, any goods, wares, merchandise, munitions, materials, or supplies of any kind or character which there is reason to believe will, if exported, be used, directly or indirectly, in violation of the sovereignty, or the independence, or the territorial or administrative integrity of any nation whose sovereignty, independence, and territorial and administrative integrity the United States is obligated by treaty to respect."

Mr. SHANLEY. Mr. Chairman, I wish to make a point against the amendment, but if the gentleman wishes to proceed, I will reserve it.

Mr. IZAC. Yes; I will ask the gentleman to reserve his point of order, although I do not concede that a point of order lies against the amendment.

The CHAIRMAN. The gentleman from Connecticut [Mr. SHANLEY] reserves a point of order against the amendment.

Mr. IZAC. My friends, there you have the other extreme. If you insist on the amendment that you have just passed placing an embargo on arms and munitions, why not be consistent and go the whole way? You remember that the whole western coast of France was lined with the automobiles of Ford and Dodge during the World War when we got into it. They did not need, as I said this afternoon, our 3-inch guns and 3-inch shells, but they did need our automobiles.

Now, you are providing under the amendment you have adopted, a prohibition against the export of the things they do not need. Why not go along with me and prohibit the export to those nations—those aggressor nations, if you please—that need the oil and the automobiles and the copper and the other implements of war that are to be manufactured into munitions of war when they get across the sea?

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. LUTHER A. JOHNSON. I think the amendment offered by the gentleman is worthy of consideration, but I do not think it belongs in this joint resolution. I do not think it is germane to the resolution, and I believe if the gentleman from California now speaking and the gentleman from New Jersey and others who have spoken on the subject would ask the Foreign Affairs Committee of the House, the committee would be pleased to take that up and have complete hearings on it. I think it would be ill-advised for us to consider the matter now when we have not had hearings upon it and do not know what the effect may be as concerned our relations with other countries.

Mr. IZAC. I yield to the gentleman from New Jersey.

Mr. EATON of New Jersey. I would like to ask the chairman of the Committee on Foreign Affairs—we have heard from the ranking member—I would like to ask the chairman if he will agree to consider this proposition in the form of a bill as soon as this neutrality thing is out of the way?

Mr. BLOOM. I will say that I have already stated to the committee that we would be very glad to take up the resolution at any time and consider it as soon as we get this legislation out of the way. I will make that promise.

Mr. IZAC. I do not want to take up the time of the Committee, but I think this is a question that should be gone into very thoroughly, because if you are going to be consistent about this thing you must embargo the very things that go into munitions. One aggressor nation today is importing from the United States at the rate of \$200,000,000 a year and less than \$1,000,000 is for munitions of war.

Mr. LUTHER A. JOHNSON. The gentleman realizes the necessity for consideration of this matter by the Committee rather than in this bill?

Mr. IZAC. I admit it would be probably better to go into this question thoroughly, and as long as the gentleman assures us that he will go into it, I ask unanimous consent to withdraw the amendment.

Mr. THORKELOSON. Will the gentleman yield?

Mr. IZAC. I yield to the gentleman from Montana.

Mr. THORKELOSON. The gentleman realizes that all bonds held by foreign nations and commodity money held by foreign nations are payable in gold to those nations, and that the money will be used for buying war material in the United States?

Mr. IZAC. Our committee had before us the experts from the Treasury Department who stated that in their opinion, of the seven or eight billion dollars in securities, domestic securities held abroad, a very small percentage of that could



be turned into liquid assets when a nation went to war and tried to cash them.

[Here the gavel fell.]

The CHAIRMAN. Without objection, the amendment offered by the gentleman from California [Mr. Izac] is withdrawn.

There was no objection.

The Clerk read as follows:

#### TRAVEL ON VESSELS OF FOREIGN STATES

SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe.

(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

With the following committee amendment:

Page 2, line 16, strike out the word "foreign" and insert the word "belligerent."

The committee amendment was agreed to.

Mr. BLOOM. Mr. Chairman, there are other committee amendments to section 2 which are at the desk.

The CHAIRMAN. The Clerk will report the amendments offered by the committee.

The Clerk read as follows:

Committee amendment offered by Mr. BLOOM: On page 2, in line 18, strike out the words "it shall" and insert the word "no."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. BLOOM: On page 2, line 19, strike out the words "thereafter be unlawful for any" and the last word "to" and insert after the words "United States" the word "shall."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. BLOOM: On page 2, in line 20, after the word "travel", insert "except at his own risk."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment offered by Mr. BLOOM: On page 2, in line 21, strike out the word "except" and insert the word "unless."

The committee amendment was agreed to.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: On page 3, after section 2, insert the following new section:

#### "TRAVEL ON AMERICAN OR OTHER NEUTRAL VESSELS

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall be thereafter unlawful, except in accordance with such rules and regulations as the President shall prescribe, for citizens of the United States to travel as passengers on any American or other neutral vessel carrying arms, ammunition, or implements of war to any state or states named in such proclamation.

"(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a) the provisions of this section and of any regulations issued by the President hereunder, shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation."

Mr. BLOOM. Mr. Chairman, I reserve all points of order.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. COOLEY. Mr. Chairman, the proper consideration of this bill requires that we should lift ourselves above the passions and prejudices of partisan politics. As Americans we should not permit blinding partialities or narrow prejudices to prevent our seeing and understanding the full

import of that which we are about to do. We are at this moment engaged in important business. No business which has come before this Congress may so vitally affect the welfare, the happiness, and the ultimate destiny of our people as the business which now engages the attention of this House.

Upon the proper solution of the problem of neutrality may well depend the ultimate success, the survival, and the supremacy of the Government to which we are all devoted. The problem challenges our intelligence and the very finest virtues of our patriotism. It is a problem, however, which we may not be able to satisfactorily solve, but to be sure it is one which is worthy of our deep interest and our most careful consideration.

You know and I know that neither a policy nor a law nor a treaty will assure neutrality or guarantee peace. When war comes and we are faced with actualities, platitudes and pious pronouncements will not prevent bloodshed. Yet we should make every constructive and conscientious effort to aid the grand cause to which our attention is at the present time devoted.

I have heard this debate patiently; I have considered the questions involved diligently; I hope that it may be given to me to decide them wisely. I confess that I have been profoundly impressed with the very intelligent, sincere, logical, and persuasive arguments which have been made in behalf of the pending measure.

The argument against rigidity and in favor of flexibility in neutrality legislation has appealed to me very strongly. I am convinced that our laws should permit freedom of action in times of emergencies—freedom of action which will enable us to meet and to cope with complicated world situations as they may from time to time arise. I realize that there is a possibility that our Nation may at sometime in the future be embarrassed by rigid legislative enactment and that our Nation may, because of some ill-considered law, be prevented from making magnificent contributions to the cause of world peace.

I know that the American people love and want peace. I know that those whom I have the honor to represent hate war and love peace, and as a Member of Congress I am anxious to make some contribution, even if by just a vote, to the great cause. But is this bill in its present form a legislative contribution to the cause of peace? You know and I know that the best that we may say for it is that it is but a feeble effort. Yet as American statesmen, as Members of this law-making body, we should make every conscientious and constructive effort to aid the grand cause which is now receiving our attention. Therefore, if we are to pass another so-called neutrality bill we should do our dead level best to perfect it before passage. We should be careful not to do violence to the ancient ethics of civilization to which this Nation was dedicated long ago. We should guard against the possibility of aiding the strong in aggressive exploits of the weak.

Likewise we should never again offend or outrage our traditional policy of minding our own business and not interfering in the affairs of other nations. When in the practice of the arts of peace we permit ourselves to be led from the policy of noninterference we will soon find our fond hope of noninvolvement blown to pieces and our Nation again being led into a foreign conflict and on to a foreign field of carnage. Our foreign policy must be a dual policy of nonintervention as well as noninvolvement. In this bill both questions are involved. Even if we abandoned all neutrality legislation and returned for our protection to the ancient and traditional concepts of international law, still we would not have a guaranty of peace.

After all is said and done the consummation of our ardent hopes and desires for world peace will ultimately and finally depend, not upon professions in behalf of peace; invocations against the follies of war; nor upon some policy, law, or treaty, but upon the enlightened judgment of the American people. Public opinion is still king in America; it is today the most powerful force in the life of this great democracy. Unless the dynamic power of public opinion supports and

approves what we do here today or hereafter our laws will be as a sounding brass and a tinkling cymbal, signifying nothing. No law which we may enact can be regarded as an infallible Palladium of peace.

As laws cannot control public opinion, neither will laws repel the belligerent spirit, the reckless and rapacious tide of violence which is rushing on from one vortex to another in the unhappy world in which we live today. As we contemplate the future and speculate upon our place in the world of tomorrow we must realize that our real power lies not in the extent of our domain, nor the wealth of our resources but in the intelligent integrity and spiritual fortitude of our patriotic people. The character of our people is our best fortress, a fortress which will fall neither under the first nor the last assault. So any law which we may enact must appeal to and be approved by the fine sensibilities which are inherent in the lives of our people. The drama which is being enacted in the troubled and distracted world in which we live is a challenge to us to approach the performance of our duties and the solutions of the problems of our great Nation with a high degree of circumspection and caution.

Let there be no misunderstanding about the bill under consideration. It repeals outright the embargo on arms, armaments, ammunitions, and implements of war. It again legalizes that which today is regarded as a nefarious business, the trading and trafficking in instruments of destruction and death. The bill under consideration is not a "cash-and-carry bill." It is ostensibly, but not actually, even a "cash bill." It does not require the cash payment for but only the divesting of all right, title, and interest of American citizens in and to the cargo destined for ports of belligerent States. While it is not a "cash-and-carry bill" the feature which requires that all American citizens surrender all of their right, title, or interest in and to cargoes destined for ports of belligerent states, appeals to me as a very worth-while provision and I believe it will meet with the approval of the American people.

I am impressed with and believe that public opinion will support and sustain the provision of this bill which permits American citizens to travel on vessels of belligerent states only at their own risk, but I do not believe that either Congress should approve or that American public opinion will support or sustain legislation which makes possible the reenactment of the tragedy which wrung our heart when the *Lusitania* was sent to the bottom of the sea and its precious cargo to watery graves. On the other hand, public opinion will support and sustain us in all of our efforts to avoid incidents which are calculated to involve us in war.

Believing as I do that the American people will support and approve legislation that will tend to prevent such incidents, I offer an amendment a copy of which I have furnished to the committee. I understand that section 3 of the present bill is to be deleted and my amendment will be a substitute for the present section 3 and will read as follows:

SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall be thereafter unlawful, except in accordance with such rules and regulations as the President shall prescribe, for citizens of the United States to travel as passengers on any American or other neutral vessel carrying arms, ammunition, or implements of war to any state or states named in such proclamation.

(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

Without some such provision as proposed by my amendment this bill will permit arms, ammunitions, and implements of war to be carried not only in vessels of belligerent states, not only in our own general cargo vessels, not only in our merchant-marine ships which are engaged strictly in foreign commerce, but the bill will actually permit the shipment of cargoes of arms, ammunitions, and implements of war in the bottoms of American passenger ships. This is the feature of the bill to which I most strenuously object. There just is not any reason on earth why this great and wealthy nation

should make itself a savage and a monster in its fight for world commerce by permitting the bottoms of American passenger ships to be filled with arms, ammunitions, and implements of war when we know that the upper decks will be freighted with a cargo of human lives—innocent men, women, and children who are near and dear to the hearts of other American citizens who are left at home. It is brutality of the rankest sort to permit innocent American citizens to sleep in a false sense of security above kegs of dynamite and other instruments of war and destruction as they sail in our passenger ships upon the high seas. We shall not permit our cupidity or greed to cause us to be willing to attempt to justify such conduct.

The amendment which I propose will make it unlawful for citizens of the United States to travel as passengers on any American or other neutral vessel carrying arms, ammunitions, or implements of war to any state or states named in the proclamation issued under the authority of section 1 of this bill.

I do not believe that the American people will become greatly alarmed over the destruction of a cargo of arms and ammunitions of war, certainly not when the title to the cargo must, under this bill, pass to governments or citizens of other countries before leaving our ports. Neither am I willing to believe that the American people will be greatly alarmed or willing to fight because an American ship loaded with a cargo of contraband war materials has been sent to the bottom of the sea. The loss of a cargo or of a boat is but a property loss. If an American ship engaged in foreign commerce with a belligerent state is sent to the bottom of the sea because it is carrying contraband materials it is, of course, reasonable to assume that some American sailors will lose their lives, but the loss will be one which is the result of a risk incident to their employment. They will at least be conscious of the fact that they are trafficking in instruments of destruction and sleeping in beds of death as they ride the waves across the sea. We may regret the loss of an American ship or sailor but we will abhor the destruction and the loss of a shipload of innocent American passengers.

I do believe that if we permit arms, ammunitions, and implements of war to be transported upon passenger boats American citizens will feel that they have been outraged, and in the event one of these passenger boats, laden with a cargo of contraband goods and likewise laden above the main deck with a human cargo of precious lives, is submarined and sent to the bottom of the sea the minds of our people will become inflamed and the incident is likely to lead us into conflicts with other nations.

It does not make any difference what part of our foreign commerce is carried on in the bottom of American passenger boats, certainly we can afford to use our passenger boats for passengers and cargoes other than cargoes of outlawed materials. If we want to fight for our foreign commerce at least we should be frank and fair with American citizens who desire to travel on our ships and we should not permit the mixing of human cargoes with other freight which has been outlawed.

While I am not so greatly concerned about the inconvenience or loss to American commerce on account of the amendment which I offer, I have obtained from the Department of Commerce information which some Members of the House may wish to consider. I am advised that on March 31, 1939, there were 160 general cargo vessels, a total capacity of 897,000 gross tons, engaged in foreign commerce, and that while some of these 160 ships do not carry any passengers at all, most of them carry a few passengers. I am advised that none of these 160 ships are authorized to carry more than 12 passengers. Certainly we could afford to forego the privilege of transporting 12 passengers on each of these ships.

I am advised that on March 31, 1939, there were 68 American vessels engaged in foreign trade which carry both passengers and cargoes. What my amendment proposes to do is to separate these 228 ships into two categories. The 68



ships would only be permitted to carry passengers and legal cargoes, while the bottoms of the other 160 ships would be free for commerce of all kinds.

Upon the adoption of my amendment the world would be on notice that our passenger ships were not engaged in the unholy business of transporting instruments of death. Unless my amendment is adopted, and if we go on and permit our citizens to ride on top of cargoes of destruction, it does not seem possible that we will be able to keep this Nation out of war. I therefore hope that the amendment may be seriously considered by the Members of this House, and that it may be adopted.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. LUTHER A. JOHNSON. Is the gentleman's amendment offered to section 2 or section 3?

Mr. COOLEY. The effect of the amendment is to insert a new section following section 2.

Mr. LUTHER A. JOHNSON. It is not directed to section 2?

Mr. COOLEY. It does not change section 2. Section 2 of the bill provides that American citizens traveling upon ships of belligerents do so at their own risk. What I want to provide is that it shall be unlawful for any American citizen to ride upon any American vessel that carries dynamite or other implements of war in its bottom.

Mr. LUTHER A. JOHNSON. Would not the amendment offered by the gentleman from Ohio, if adopted in the House, accomplish the same purpose?

Mr. COOLEY. But the amendment offered by the gentleman from Ohio may be eliminated from the bill. That does not excuse us on this occasion for failure to declare ourselves on the principle involved and to take away the right of American citizens to ride upon ships carrying implements of war, and thus prevent another tragic incident such as the *Lusitania*.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. BLOOM. As I understand the amendment the gentleman has offered, he would make it unlawful for a citizen of the United States to do that?

Mr. COOLEY. Exactly.

Mr. BLOOM. That is just the objection that was raised to the original section 2 of the pending bill when we tried to make it unlawful to do that very thing.

Mr. COOLEY. I do not know what pressure was brought to bear upon the gentleman to cause him to yield up the word "unlawful" and substitute the language that was put in this section. I think we must make it unlawful for an American to travel upon an American vessel carrying such contraband materials; otherwise they would not be traveling at their own risk but would be traveling at the risk of the Federal Government with the Army and the Navy to protect them.

Mr. BLOOM. A certain number of Members thought it was rather harsh and severe to make it a crime or make it unlawful for a person to travel on any of these ships. The idea of changing it to traveling at their own risk was to do away with making it a crime for them to travel on these ships. That is the whole thought.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. COOLEY. For a brief question.

Mr. JOHNSON of Oklahoma. Is it not a fact that the *Lusitania* was loaded down with armaments of war and if it had been unlawful for people to have traveled on the *Lusitania* under those circumstances it might have presented our entrance into the World War?

Mr. COOLEY. I think the gentleman is correct.

Mr. TINKHAM. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Massachusetts.

Mr. TINKHAM. As I read section 9, it forbids any American vessel to be armed or to carry any armament, arms, or ammunition or implements of war.

Mr. COOLEY. The reason I am offering this amendment is because, as I understand it, the committee will ask that section 9 be deleted from the bill.

Mr. TINKHAM. They are going to attempt that.

Mr. BLOOM. Section 9 is not in the bill. That will be offered as an amendment.

Mr. COOLEY. Section 9 will not be in there?

Mr. BLOOM. Section 9 is not in the bill.

Mr. COOLEY. Do I understand from the acting chairman of the Committee on Foreign Affairs that he would be willing to accept an amendment if the language was changed from "unlawful" to read that a passenger would be permitted to travel at his own risk?

Mr. BLOOM. I do not think there would be any objection to that.

Mr. COOLEY. Why should there be any objection to making it unlawful? Does not the gentleman think it would be one of the greatest crimes on this earth to again permit American citizens—men, women, and children—to be upon the upper decks of a boat, having no knowledge of what the boat may be loaded with, and permitting those men, women, and children to go out on the high seas and to be blown to pieces in their beds through a false sense of security?

Mr. BLOOM. The committee has been all through that. I do not object to it, but the idea is that a great many members of the committee thought it was rather harsh and severe to make it a crime for a person to travel, if he had to travel, on these ships. We changed it. The committee decided to amend it and we did so just now by having it provide that they travel at their own risk.

Mr. COOLEY. You do not have one word in this resolution, and you know it, you do not have one syllable in this resolution that will protect the lives of American citizens traveling on American vessels or vessels of other neutrals; but you have a provision in there with reference to their traveling upon vessels of belligerent states. I think it would be one of the greatest crimes of this century to again permit that which happened on the night that the *Lusitania* was sunk.

[Here the gavel fell.]

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. Cooley]?

There was no objection.

Mr. COOLEY. Mr. Chairman, I have no pride of authorship in this. I am sincere in my desire to see a provision written into this bill which might prevent an incident calculated to lead this Nation into war. Secretary Hull said in this report filed with the committee:

Our involvement in controversies is more likely to arise from destruction of American lives.

We can do all the committee wants to do; we can turn over 160 merchant-marine boats to ship all the arms they want to ship; but I say these 68 passenger boats should carry nothing but passengers and legal cargo.

Mr. KELLER. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Illinois.

Mr. KELLER. Would it not be the better plan to make the vessels responsible and prevent their accepting passengers?

Mr. COOLEY. If so, that could be done in conference.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. VOORHIS of California. Do I understand that the gentleman's amendment is limited only to American ships?

Mr. COOLEY. No; the American ships or ships of other neutral nations.

Mr. VOORHIS of California. I wanted to make that clear.

Mr. GEYER of California. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. GEYER of California. Does the gentleman have any provision in there to also protect our seamen?

Mr. COOLEY. No. I had that thought in mind, but I felt if we should lose a ship or if a sailor loses his life, he does so

as the result of risk which is incident to his employment. He goes to bed at night knowing that the boat is loaded with dynamite and munitions of war; but what right have we to let them decorate the upper decks of these ships with men, women, and children when below they are carrying ammunition and implements of war?

Mr. GEYER of California. The seaman is there because he must go. The passenger is usually going on pleasure. I am wondering if we could not word this to protect the seaman.

Mr. COOLEY. I certainly hope the Committee will vote for this amendment.

Mr. GEYER of California. I am for the gentleman's amendment.

Mr. COOLEY. I do not see how there can be any objection. All the members of the Committee have had an opportunity to consider it, and they should not vote against it because they do not like the word "unlawful." I hope when the vote is taken the amendment will be adopted.

[Here the gavel fell.]

Mr. RAYBURN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I had not intended to take the floor during the discussion of this bill because the able members of this Committee on both sides have given us a very fine debate. I was deeply grieved and utterly amazed, however, when this Committee a while ago adopted the so-called Vorys amendment. I cannot believe that on second thought and on a separate vote the House of Representatives will concur in that amendment.

The immediate reason for my rising is to speak on the amendment offered by the gentleman from North Carolina. The gentleman's amendment would penalize an innocent American citizen for stepping upon an American ship carrying arms, ammunition, or implements of war, although he may not have known what the ship was carrying.

It seems to me, with all respect to the very able gentleman from North Carolina—and I mean what I say when I say he is able—that he does not realize the import of the amendment he asks this Committee to adopt this evening, in that it would have the effect of making it unlawful for me or for you or for any other American citizen to step upon a vessel carrying war materials, when we would not know whether it carried war materials or not. Frankly, I do not believe, even though the Committee went so far on the Vorys amendment, that it will go so far as to adopt this amendment. [Applause.]

Mr. COOLEY. If the gentleman will yield, I am perfectly willing to accept the suggestion of the Chairman of the Committee and to provide in my amendment that American citizens shall travel on these boats at their own risk.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 32, noes 136.

So the amendment was rejected.

The Clerk read as follows:

#### AREAS OF COMBAT OPERATIONS

SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), and he shall thereafter find that the protection of citizens of the United States so requires, he shall issue a proclamation, whereupon it shall be unlawful, except under such limitations and exceptions as the President may prescribe, for citizens of the United States or vessels flying the flag of the United States to proceed through any areas defined from time to time by the President to be areas of combat operations and so specified in his proclamation.

(b) The President may from time to time modify or extend his proclamation, and when the conditions which have caused him to issue his proclamation have ceased to exist he shall revoke the same and the provisions of this section shall thereupon cease to apply.

With the following committee amendment:

On page 3, line 11, strike out the words "and exceptions" and insert "not inconsistent with the purposes of this joint resolution."

The committee amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLOOM: Beginning on page 3, line 5, strike out all of section 3.

The amendment was agreed to.

The Clerk read as follows:

#### FINANCIAL TRANSACTIONS AND TRANSFER OF TITLE

SEC. 4 (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transaction.

(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

(c) Whoever shall violate the provisions of subsection (a) of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

(d) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful, except in accordance with such rules and regulations as the President shall prescribe, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States directly or indirectly to any state named in the proclamation, any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on such articles or materials shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials, and no loss incurred thereunder, shall be made the basis of any claim put forward by the Government of the United States. The provisions of this subsection shall not apply to trade on or over lands, lakes, rivers, and inland waters bordering on the United States.

(e) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

With the following committee amendment:

Page 4, line 15, after the word "transaction", insert a semicolon and the following: "the President shall make public every 90 days any and all exceptions granted under this proviso, together with the amounts of credits involved."

The committee amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLOOM: Page 4, line 12, after the word "section", insert "for a period of not more than 90 days without renewals."

The committee amendment was agreed to.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: On page 4, line 8, after the word "person", strike out the semicolon and the balance of section 4 (a) and insert a period.

Mr. HINSHAW. Mr. Chairman, this proviso is what I would call the "Uncle Shylock" proviso of this bill—the "Uncle Shylock" proviso because just preceding this the bill states:

Or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make



any loan or extend any credit to any such government, political subdivision, or person.

In other words, we are not going to make them any loans unless it is to the benefit of the commercial interests of the United States. If you think that is a fair provision and a proper one, one that can be looked upon with any spirit of equanimity by the people of the United States or any other nation of the world, I will be glad to eat my words.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 6, line 11, insert a new section as follows:

"It shall be unlawful for any American or neutral vessel to accept passengers which carries arms and ammunitions."

Mr. BLOOM. Mr. Chairman, I reserve a point of order against the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I trust that in spite of the confusion on the floor that Members have heard the proposed new section offered by me and now pending for consideration. The amendment is short, plain, and speaks for itself. It simply states that it shall be unlawful for any vessel, whether neutral or American, to accept passengers when that vessel is loaded with ammunition or armaments of war. As was pointed out here just a few moments ago, it is well known that the *Lusitania* was loaded down with armaments of war when it was torpedoed. Even before the *Lusitania* sailed, the State Department had information that it carried armaments and munitions. Not only had the State Department this information, but it had also been advised that there was every probability that the vessel would be torpedoed; yet passengers were permitted to be loaded on that death trap and taken to a watery grave. I speak deliberately and weigh my words when I say to you that had Congress passed the simple amendment I have here offered, and same had become the law at that time, it might have prevented the most cruel and devastating war the world has ever witnessed. Certainly there can be no harm done by accepting this amendment.

This amendment does not propose to place the burden upon the passenger, who might unsuspectingly board a vessel loaded with arms, as did the amendment that was offered just a few moments ago by the gentleman from North Carolina [Mr. COOLEY], but it does put the burden upon the shipowner, where it rightfully belongs. [Applause.] Should this plain, simple amendment be enacted, there will be no question as to its exact meaning. It will not take an international lawyer to interpret what it means. Its practical effect would undoubtedly be that American or neutral vessels would not accept munitions of war if they actually carried passengers, nor would passengers be permitted to ride on ships carrying armaments and munitions. I submit that it is a fair, sane, and reasonable amendment and if adopted might prevent another world conflict. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 62, noes 116. So the amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. HINSHAW: Page 6, line 2, after the period, strike out the balance of line 2 and all of lines 3 and 4.

Mr. HINSHAW. Mr. Chairman, if I may have the attention of the acting chairman of the Committee on Foreign Affairs, the gentleman from New York [Mr. BLOOM], I would like to inquire if he heard the amendment read.

Mr. BLOOM. I am very sorry, but I did not hear the amendment.

Mr. HINSHAW. The amendment seeks to strike out the last sentence in paragraph (d) of this section in lines 2, 3, and 4, of page 6.

Mr. BLOOM. The language is, "The provisions of this subsection shall not apply to trade on or over lands, lakes, rivers, and inland waters bordering on the United States."

Mr. HINSHAW. That is correct and I have offered this amendment striking out that language and I want to ask a question. I can hardly believe it possible that I may be right in reading this language. On page 5, in the beginning of section (d), it says:

It shall thereafter be unlawful, except in accordance with such rules and regulations as the President shall prescribe, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States, etc., any articles or materials until all right, title, and interest therein shall have been transferred to some foreign government—

And so forth. However, on page 6 it is stated that this subsection "shall not apply to trade on or over lands, lakes, rivers, and inland waters bordering on the United States."

As I read that, it would mean that the provisions of the subsection would not apply if anyone wanted to export to foreign countries by way of, say, Mexico or Canada. Is that correct?

Mr. BLOOM. No; just going into those neighboring or bordering countries, and that is as far as it goes.

Mr. HINSHAW. But it has the words there "on or over lands, lakes, rivers, and inland waters bordering on the United States."

Mr. BLOOM. That would mean going into Mexico or Canada or any bordering States on any inland waterway.

Mr. HINSHAW. But it could be exported from there.

Mr. BLOOM. That would be impossible. How could we export from there?

Mr. HINSHAW. Suppose that Great Britain goes into war with some other nation; Canada being a part of Great Britain, under such circumstances the first part of section (d) does not apply.

Mr. BLOOM. We have no interest in it after it leaves this country and goes into a bordering country. How could we really export from those countries? We are through with it as soon as it leaves here.

Mr. HINSHAW. Why should it be any more unlawful to ship by sea than to ship through Canada? In fact, as I see it, we could ship from Chicago or Buffalo via the St. Lawrence and the provisions of this subsection would not apply.

Mr. BLOOM. That is just a matter of different ideas.

Mr. HINSHAW. Mr. Chairman, I ask unanimous consent to withdraw the amendment in view of the fact that the Committee does not seem disposed to consider amendments at this late hour.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 3, beginning in line 23, strike out all of section 4.

Mr. CRAWFORD. Mr. Chairman, I offered this amendment in order to get an opportunity to make some inquiries with reference to the bill.

As I understand this bill, referring particularly to the amendment just offered by the gentleman from California [Mr. HINSHAW], I wish to ask the Chairman of the Committee if a manufacturer producing goods in Rockford, Ill., can place his goods on a ship going down the Mississippi River and land those goods at New Orleans and not be guilty of attempting to transport or export goods under the operation of this bill?

Mr. BLOOM. I do not believe there is any doubt about that. Does the gentleman think there would be?

Mr. CRAWFORD. No. I am trying to get some specific information for manufacturers. In other words, the manufacturers of this country will probably have to operate under this bill within a short time, if the Congress enacts it into law. We have had a great deal of discussion here, but very little dealing with the specific, technical details of the bill. That is what our manufacturers will be interested in

knowing about, without having to go to an attorney and pay three or four thousand dollars in attorneys' fees to have the matter explained to them. As I understand the chairman, a manufacturer will not be operating in violation of the provisions of this bill if he uses these inland waterways as a part of the transportation system in moving these goods to foreign shores.

Mr. BLOOM. To foreign shores?

Mr. CRAWFORD. Yes.

Mr. BLOOM. Well, I cannot understand just what the gentleman is inquiring about.

Mr. CRAWFORD. Our manufacturers will use the inland waterways for the purpose of shipping goods. Suppose I am a manufacturer at Rockford, Ill., and I solicit orders from someone in Europe under the operation of this law, and I succeed in getting the business and the European agent comes to my place in Rockford and purchases the goods f. o. b. shipside New York City or New Orleans, for instance, and I put those goods on the inland waterways and ship them by water to shipside, will I be violating the provisions of this act?

Mr. BLOOM. No. You would not be violating the provisions of this act as long as you comply with all the rules and regulations—

Mr. CRAWFORD. That is not my question. I am asking a specific question.

Mr. BLOOM. If you will permit me to answer it, the title to all these goods is transferred to some other than a citizen of the United States.

Mr. CRAWFORD. But suppose the transfer does not occur until the goods reach shipside at New Orleans, for instance?

Mr. BLOOM. Well, it could not leave any port of the United States until it is transferred. Now, if your agreement with this buyer is that the goods shall be transferred at the port of New Orleans or New York or some other place, that is the agreement that you make with them, and they cannot go on until the title is transferred; so that up to that time you have possession of the goods.

Mr. CRAWFORD. Now, that answers the question. The language of the bill says that no one shall attempt to export or transport or cause to be exported or transported. Will my soliciting this business cause me to become involved in the clutches of the law in an attempt to export or transport or cause to export or transport?

Mr. BLOOM. I am not a lawyer, but until your contract is finally terminated, until you have lived up to your end and the purchaser lives up to his end, you have not attempted to do anything. It says these goods shall be transferred before leaving any port within the United States to be exported to a foreign country. Now, you have a right to wait until that time. You cannot do anything else until they do get to the port. There is no question about that.

Mr. CRAWFORD. Let me ask this question: Does this bill not place the American manufacturer in a position where he must necessarily do business through a national of some other country, or say an alien agent? Is that not the situation the American manufacturer finds himself in?

Mr. BLOOM. No; not at all. He could do business with anyone he sees fit to do business with, but when the goods are ready to be sent away from any port in the United States, then the transfer of title must operate then and there. It is the transfer of title. That is the only thing that is necessary here. It must be transferred. No right, title, or interest shall be in the name of any citizen of the United States.

Mr. CRAWFORD. What kind of payment will constitute the transfer of title?

Mr. BLOOM. That is up to you.

Mr. CRAWFORD. That is up to the manufacturer?

Mr. BLOOM. That is up to the manufacturer.

Mr. CRAWFORD. In other words, he can accept a 6 months' note or a year's note or a 90-day note?

Mr. BLOOM. You cannot go beyond the 90 days. There are no notes to be extended beyond that time, but the idea

is this: When you say "transfer of title," whether you pay all for it or what you pay, the United States Government cannot follow in, but we must be assured or the gentleman must be assured that no citizen of the United States has any right, title, or interest in those goods, and the title to those goods is transferred to some foreign corporation, individual, or whatever it may be.

Mr. CRAWFORD. And this foreign corporation can discount its paper and make it eligible for commercial rediscount under our Federal Reserve System, if the banks desire to do business with them?

Mr. BLOOM. This is done in accordance with the rules and regulations. As the gentleman knows, these things are transferred on 60 or 90 days' credit. Sixty or ninety days' credit is given until the goods get to a certain point. That is what this calls for, a commercial credit, no renewals of any kind, and only for 90 days; that is all.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. CASE of South Dakota. May I call the gentleman's attention to the fact, however, that a self-serving declaration by the shipper that there is no right or title in any American citizen will serve to give that shipment clearance and also, under the terms of this bill operate as an estoppel against the assertion of such claim by any possible seller.

Mr. CRAWFORD. And that is the case whether the goods are paid for or not.

Mr. CASE of South Dakota. Whether the goods are paid for or not, and that is unconstitutional.

Mr. THORKELOSON. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. THORKELOSON. It is possible that American bonds and credit may be used to buy these goods.

Mr. CRAWFORD. I understand so.

Mr. Chairman, although I feel that this bill as it has been presented to the House will eventually be voted down, directly or indirectly, I think that as a matter of record we should speak very frankly about its provisions. As I understand the measure, exactly as it has been submitted by the committee it will extend to the President powers never before delegated or assumed by any one man in all modern history. I believe the bill would extend to the President what might be termed "supernatural powers"; that it would rob Congress of many of its present powers constitutionally granted, such as to declare war, because it virtually or actually does give to the President the power to issue proclamations carrying the force and effect of declarations of war—that a state of war exists between nations other than our own—and the bill would rob the people of this country of their protection through constitutional power given to Congress to do the war declaring.

It is reasonable to assume this bill would abrogate treaties and take away from the Senate its power to make and enforce them. The discretionary powers granted by this bill to the President would virtually destroy the powers of States, Governors, legislatures, and the personal rights of the people. It would subject industry in this country to a licensing system in order to sell goods to our own Government; it would force our industries to open their books to the prying eyes of political appointees; it denies to our people the right to appeal to and be heard by our courts and this because the courts would be without jurisdiction over the appointees of the President. The President could select "areas of combat"; throw the force of our financial strength and the value of our source of material to selected world powers favored by him, and these powers can be exercised without the slightest check on the part of the people of this country. Such powers I shall not support being given to our President. I feel sure the House will not adopt the bill as it has been submitted to us.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to withdraw my amendment.



The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUTHER A. JOHNSON: On page 6, line 4, insert a new subsection, as follows:

"(e) Whenever the President shall have issued a proclamation under authority of section 1 (a), and he shall also find that in order to preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and thereafter except, under such limitations and exceptions, as he may prescribe it shall be unlawful thereafter for any American vessel to carry such articles or materials to any belligerent states for the use of any belligerent state."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I offer this amendment, not as a committee amendment but on my own individual responsibility, and it is done only because of the fact that since section 3 has been eliminated there is no provision in the bill regulating American vessels in the carriage of goods. It strikes me that there ought to be something in the bill by which, under certain circumstances, limitations could be placed upon American vessels in shipping goods if the danger should become so great that it might hazard the peace of the United States or hazard the lives of our citizens.

The language of this amendment is identical with that carried in old section 2, which expired April 30, giving this authority to the President under certain conditions. This is all I care to say.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. KELLER. Has the gentleman looked into the embargoes that have been placed on our commerce, has he studied their effect?

Mr. LUTHER A. JOHNSON. This would not be an embargo or become effective, rather, unless conditions grew so grave that the President thought it was necessary to invoke some restriction upon our vessels in carrying goods. It would not be invoked automatically. It could be invoked only if necessity arose that might require it.

Mr. KELLER. It gives additional power to the President.

Mr. LUTHER A. JOHNSON. The power has got to be lodged somewhere, and that is the proper place to put it.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. VORYS of Ohio. Does the gentleman say that this is the precise language of section 2 of the act that was in effect up until April 30.

Mr. LUTHER A. JOHNSON. As well as I could write it. I wrote it very hurriedly. I intended to copy that provision word for word.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. FISH. Would the gentleman accept an amendment to the effect that these ships should go at their own risk?

Mr. LUTHER A. JOHNSON. I think that is not necessary. I think that has already been done. This simply restricts the shipment of goods for the use of our ships if certain conditions should arise to require it. I do not think we need to add the words "at their own risk."

Mr. FISH. I do not quite understand the purpose of the gentleman's amendment.

Mr. LUTHER A. JOHNSON. This has nothing to do with reference to risk. This would give the President the authority to prohibit their carrying goods if the conditions were such that to do so would endanger our peace. It is not with reference to their own risk but with reference to their right to carry goods to belligerent nations.

Mr. FISH. I think we want to make haste a little slowly on this amendment. It seems to me this is a very far-reaching amendment and perhaps gives tremendous discretionary power to the President actually to control all our commerce and pick out aggressor nations and say we will not ship our goods to those nations.

Mr. LUTHER A. JOHNSON. The gentleman is laboring under a misapprehension.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. CHIPERFIELD. In the gentleman's opinion does this amendment prevent American vessels from carrying arms, ammunition, and implements of war to belligerents? Does the gentleman think it would have that effect? If the Vorys amendment stays in the bill that would never become a question. This gives the President authority to prohibit a shipment of goods to belligerents in our ships. But if the Vorys amendment goes out the effect of the gentleman's amendment would be that our American vessels would be prohibited from carrying arms, ammunition, and implements of war to belligerents?

Mr. LUTHER A. JOHNSON. I think so.

Mr. WADSWORTH. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from New York.

Mr. WADSWORTH. Does not the gentleman's amendment confer a wider power upon the President than was conferred in section 3, which has just been eliminated?

Mr. LUTHER A. JOHNSON. I do not think so. Section 3 that was eliminated did not restrict itself to ships only, but it also restricted American citizens traveling upon our own ships or on the ships of other countries. That section authorized the President to select the zones within which our ships could be prohibited from going or our citizens, either upon our own ships or upon the ships of others. This is to give the President authority, if conditions grow so grave, to prevent our ships from carrying goods to belligerent nations, not to other nations.

Mr. WADSWORTH. Is this not the comparative result: Under section 3 the President was authorized to delimit the zone of combat operations. He had to mark them out on the map of the world, and, having done so, he forbade any American ship or citizen going into that zone.

Mr. LUTHER A. JOHNSON. Yes.

Mr. WADSWORTH. We have taken that out of the bill. As I understand the amendment offered by the gentleman from Texas, it is this: The President can declare in effect all of the seas, the whole world, and say that no American ship shall take the seas, if he regards it as dangerous.

Mr. LUTHER A. JOHNSON. The gentleman I think is mistaken. The President has the authority to restrict our ships from carrying goods to belligerent nations and only if it becomes necessary so to do. I may add, I have offered this amendment because the elimination of section 3 from the bill leaves no restriction then upon American vessels, and I think that is an important feature. It might become serious and cause our involvement in a war.

Mr. WADSWORTH. It seems to me that covers a worldwide area.

Mr. LUTHER A. JOHNSON. It is only for our ships.

Mr. BREWSTER. Would the gentleman permit the amendment to be read again?

Mr. LUTHER A. JOHNSON. Yes. I ask unanimous consent that the amendment may be read again by the Clerk.

The CHAIRMAN. Without objection, the Clerk will read the amendment again.

There was no objection.

The Clerk again read the Johnson amendment.

Mr. FISH. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. Chairman, this amendment is thrown in here at a late hour. I believe the gentleman from New York [Mr. WADSWORTH] is right. This amendment gives the President actually more power than section 3, which was stricken out. Everybody seems to be agreed—the whole committee is agreed—that section 3 should be stricken out, because it gave the President the power to establish combat zones or areas wherever he desired. He could surround Italy with a combat area and say our ships could not go to Italy but could go un-

impeded to Great Britain. It gave the President the power to determine the aggressor nation, and the arguments against section 3 were so strong after the committee reported it out it unanimously took that provision out of the bill.

Now, the gentleman from Texas proposes that we give the President the power to control all of the seas and say that American ships cannot go to any nation, if he says so. If my interpretation is correct, then it is the old aggressor-nation power over again. It is the power to determine the aggressor nation. If I am right, then it is a delegation of the war powers of the Congress, because there is not much difference between the aggressor-nation power and the constitutional right of Congress to declare war. It would simply mean we were delegating those war powers to the President to determine the aggressor nation, or to establish a Jeffersonian embargo on American ships.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I think the gentleman's fears are not well founded. There is nothing in the resolution that authorizes the President to discriminate against one nation or the other. They are all treated alike. It simply means that when the war situation gets so grave that it may imperil the lives of our citizens or our peace, or cause our involvement, the President can restrict the shipment by American ships to all belligerents of all commodities that might get us into trouble.

Mr. FISH. It gives the President the full power to determine what nation shall get these goods.

Mr. LUTHER A. JOHNSON. The gentleman is wrong. It includes all belligerents. There is no discrimination. He makes the selection against all nations.

Mr. FISH. The amendment reads: "Whenever the President shall have issued a proclamation under authority of section 1, he shall also find that in order to preserve the peace of the United States or to protect the lives of citizens of the United States he shall so proclaim and thereafter, except under such limitations and exceptions as he may prescribe for any American vessel to carry such articles or materials to any belligerent states for the use of any belligerent state.

Mr. BREWSTER. In other words, the President will prescribe such exceptions and limitations. He could put in any exceptions or limitations there that he himself might determine were desirable.

Mr. LUTHER A. JOHNSON. The exceptions refer to the goods that might be shipped. It does not refer to the countries. It might be all right to carry some commodities and not others. You have some discretion. I think the gentleman is entirely wrong when he fears there is anything in there that he can apply against one or the other.

Mr. BREWSTER. There is nothing that says he cannot.

Mr. LUTHER A. JOHNSON. This resolution is based upon treatment of all countries alike.

Mr. BREWSTER. Where does it say that?

Mr. LUTHER A. JOHNSON. It does not apply to one. It applies to all alike.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I have not spoken on this bill as yet but I am very much concerned about this amendment. As far as my personal views are concerned I believe along the same lines as stated by the gentleman from New York [Mr. WADSWORTH]. I do not know what this amendment will accomplish. I do not know if it is a committee amendment. I see one of the Members nodding his head "no," but I would like to have official confirmation as to whether or not it is a committee amendment.

Mr. BLOOM. It is not a committee amendment.

Mr. McCORMACK. This amendment is very far reaching. I do not believe we ought to delegate extraordinary powers in peacetime.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I stated when I began my remarks that it was not a committee amendment, that I had not conferred with other members of the committee, and that I only am responsible for it, and no one else.

Mr. McCORMACK. I thoroughly respect the gentleman's views and his opinions, but I believe the amendment is very far reaching. The implications of this amendment are unlimited. I do not want to vest that power in any President in the absence of emergency conditions which require it. I have profound respect for the present occupant of the White House. I respect every occupant of the White House whether he is elected as a Democrat or a Republican or if, in the future, he may be elected as the candidate of any other political party. I respect the office as well as the occupant, but I also respect my duty and my obligations as a Member of the Congress of the United States.

This amendment appears to be hastily drawn. Its contents may have been carefully considered by the drafter, but it appears to have been hastily drawn. We have just stricken out of the bill the "combat-area" provision, and that was a wise action. To put this provision in a bill would, in my opinion, be very unwise. Let us proceed, no matter what our views are, with a rational mind, and with caution. Whether or not one is for the lifting of the embargo, let our differences of opinion be impersonal. Let us respect each other. But let us not, because of any reason, put into this bill something the implications of which we do not know. This amendment, as I see it, is exceedingly far reaching, and I am constrained to vote against it.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman says we do not know what the implications of the amendment are, and that it was hastily drawn. Let me call the attention of the gentleman to the fact that the language is identical with section 2 of the act which expired on May 1, and which was passed by both Houses in 1937. This is not a new amendment and it was not hastily drawn.

Mr. McCORMACK. If the Congress of the United States placed a limitation on it when it was originally adopted the Congress must have intended that it expire on the date that it did expire. This may be the best amendment in the world for all I know, but I do know that I know nothing about it now, and I know that my colleagues know nothing about it, at least those with whom I have talked. Certainly, under such conditions it would be irrational and unwise to adopt such an amendment. Without attacking the amendment on its merits, I contend that under such circumstances caution should compel and prompt us in the exercise of a wise judgment to defeat the amendment that has been offered by the gentleman from Texas. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. LUTHER A. JOHNSON].

The amendment was rejected.

Mr. KUNKEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUNKEL: On page 4, line 13, after the word "obligations", strike out the remainder of line 13 and all of lines 14, 15, 16, 17, and 18 and insert "when and only when security in excess of the amount of the commercial credit or short-term obligation shall be deposited in this country and pledged to secure said commercial credit or short-term loan."

Mr. KUNKEL. Mr. Chairman, this amendment is designed purely to protect against the unfortunate circumstance of creating credit abroad which we cannot collect. The fact that this amendment is important is borne out by the first part of section 4, in which the committee has provided that no one can make any loans to any foreign



country. If anyone makes a short-term loan to another person it is perfectly obvious, and it is perfectly well known to all of us, that that short-term loan can become a long-term loan if the person who has borrowed the money does not pay it, unless there is some security available out of which the short-term loan can be collected.

It is my object in this amendment to provide that any time a short-term loan is made it can be collected, because the amendment requires that the security be deposited in this country. This is not an unusual provision. Anyone who starts to carry on a business and wants to make a loan at a bank is frequently required to put up collateral against which he can have a running balance. Any country that wants to borrow from the United States on commercial credit or on short-term loans can do the same thing in this country. They can put over here goods which they produce or they can put over here securities which their citizens own. This is just a precaution to keep this country out of trouble.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KUNKEL. I yield to the gentleman from Michigan.

Mr. CRAWFORD. As I understand the gentleman's amendment, it would prevent the use of international banking machinery, operating through arrangements or credits in foreign lands and then coming on through on this side, by providing that the borrowers must deposit the security in this country before the transaction is completed.

Mr. KUNKEL. It provides against the situation the gentleman mentions and also provides against it with respect to an individual, a banking institution, or anybody. It will cut it off at the start, and it will prevent any pecuniary interest in war being created in this country. I believe this is one of the most important amendments that can be put into this bill.

Mr. CRAWFORD. In that case, who would be the judge of the sufficiency of the security?

Mr. KUNKEL. Undoubtedly the President of the United States.

I wish to call the attention of the Committee at this point to the fact that this amendment does not curtail any power. It merely makes it easier and more reasonable for the President to exercise the power that is conferred on him by the section. It does not try to curtail by a single iota any power that is granted, but makes it easier for the President to exercise that power in a reasonable way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. KUNKEL) there were—ayes 87, noes 119.

So the amendment was rejected.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 4, beginning in line 8, after the word "person", strike out the proviso, the remainder of the paragraph, down through line 18, on page 4.

Mr. BLOOM. Mr. Chairman, I reserve a point of order against the amendment.

Mr. O'CONNOR. Mr. Chairman, I want to call your attention to the importance of this amendment.

Section 4 reads as follows:

Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, or person.

This provision obviously is to prevent the very thing that dragged this country into the other World War, by credit extended to foreign nations by the Wall Street and international bankers.

Now, here is the portion of this section that I am asking to be stricken from the bill. I wish to strike the following language:

*Provided, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transaction; the President shall make public every 90 days any and all exceptions granted under this proviso, together with the amounts of credits involved.*

Mr. Chairman, this provision written in this bill would give the President of the United States the authority to set aside the rule laid down in the beginning of the paragraph to the effect that neither this Nation nor any of its citizens nor any institution in the United States can extend credit to any foreign nation engaged in war.

My amendment is for the purpose of denying the President the right to exercise such discretion. Right here I want to say I have every respect and faith in our great President, but no man should be given this power. I think the exercise of that very discretion might lead us into complications, such as we were led into when we entered the World War.

Mr. THORKELOSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman, my colleague from Montana.

Mr. THORKELOSON. Is it not a fact that if one nation has credit in the United States and the United States holds bonds, if payment of such bonds is denied, it will lead to war?

Mr. O'CONNOR. I want to say as a rule that is true. Also, just exactly as the gentleman said a while ago in reference to his amendment. These short-term loans become long-term loans when not paid. We made short-term loans to other nations during the World War and they have become such long-term loans that they have never been paid and never will be paid.

Mr. THORKELOSON. As a matter of fact, these short-term loans become permanent loans?

Mr. O'CONNOR. Right.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Michigan, my good and esteemed friend.

Mr. CRAWFORD. Is it not also true that the financial section of this bill is really what they are after?

Mr. O'CONNOR. Why, of course.

Mr. CRAWFORD. They do not care about the rest of it if they can get this part of the bill.

Mr. O'CONNOR. Anybody, of course, can read this and see that the President of the United States has been given power that might get us into another war, and when I say this I am speaking of the President in the abstract.

Mr. VAN ZANDT. And is not the intent of the gentleman's proposed amendment along the lines of the Johnson Act?

Mr. O'CONNOR. Exactly; and this provision in the bill would repeal that part of the Johnson Act.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to my good friend.

Mr. KNUTSON. And this bill is strictly in the interest of the international bankers.

Mr. O'CONNOR. To a certain extent.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to my fine friend.

Mr. SCHAFER of Wisconsin. And under this bill we are giving the President all this authority in the interest of the international bankers and we are giving this authority to a President who is an ex-international banker and whose family was recently joined in holy bonds of matrimony with the house of Du Pont.

Mr. O'CONNOR. Well, I will not agree to that.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?  
Mr. O'CONNOR. I yield to my dear colleague from Alabama.

Mr. PATRICK. I just want to warn my good friend and colleague, whom I love and admire, that the Republicans are trying to make a yes-man out of him, and I want to protect him.

Mr. O'CONNOR. Oh, I am not afraid of the Republicans making a yes-man out of me, and the Democratic side cannot make a yes-man out of me, either.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to our beloved majority leader, whom we all love and admire.

Mr. RAYBURN. The gentleman said a moment ago that they were giving power here that the President of the United States could use to get us into war. Does the gentleman have any idea that the present President of the United States wants to get us into war?

Mr. O'CONNOR. No; a thousand times no; but no one man should be given that power. That must be left to Congress. But here is the point—you extend credit to those nations over there, and powerful influences will be used to see that the flag will follow the credit extended as it has heretofore, and I propose not to permit that if I can stop it. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINSHAW. Reserving the right to object, Mr. Chairman, I would like to have a few minutes.

Mr. LUTHER A. JOHNSON. I modify my request to make it 10 minutes, then, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. CRAWFORD. Will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CRAWFORD. Does the gentleman understand this bill to the effect that the Federal Reserve banks can issue Federal Reserve notes or currency against the paper that is held by aliens, turn it into the banks for the purchase of this material?

Mr. HINSHAW. I presume if the notes are discounted at the Federal Reserve bank, they would become the basis for the issuance of Federal Reserve notes.

I am going to support the amendment offered by the gentleman from Montana [Mr. O'CONNOR] who preceded me.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, this section is identically the same as the present law with reference to the credit section, except that it has been modified by two amendments. One of the amendments is the last part of section A, which is in italics, "the President shall make public every 90 days any and all exceptions granted under this proviso, together with the amounts of credits involved."

That is the amendment offered by the gentleman from New York [Mr. BARTON]. The other amendment is on line 12, which has been offered by the committee, after the word "section," "for a period of not more than 90 days, without renewals."

This does not give the President more power than he has had heretofore, but gives him less power. This section is not new. It has been the law all the time and it is based on the so-called Johnson Act with reference to the acquiring of credits by countries in default to this country. As the House well knows, the gentleman from California [Mr. JOHNSON] was the author of a resolution passed some years ago, by which loans are prohibited or the sale of bonds is prohibited in this country by any government that is in default to the

United States. We thought it was wise to apply that same language with reference to belligerent nations so as to prohibit the accumulation of further war debts in this country. So this section is simply in conformity with the Johnson Act, and the exceptions are based upon the same language of the Johnson Act.

There is no reason for alarm with reference to it. The gentleman's amendment ought to be voted down. Otherwise it will destroy the language with reference to that section.

Mr. O'CONNOR. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. O'CONNOR. Is it not a fact that if we adopt this language, the President has the right to declare, in his discretion, that it is for the interest of the people at large to permit credit to be extended to foreign belligerent nations?

Mr. LUTHER A. JOHNSON. No. The gentleman is entirely wrong. His fears are based upon a misapprehension of the facts. It does not enlarge the credits. It does not permit the credits to be enlarged.

Mr. O'CONNOR. Will not the gentleman admit that if a short-term loan is not paid it becomes a long-term loan and sometimes a permanent loan?

Mr. LUTHER A. JOHNSON. Well, it is not intended to be that. This is the same language as contained in the Johnson Act. It has never been abused.

I think the amendment should be voted down.

I ask for a vote, Mr. Chairman.

Mr. SHAFER of Michigan. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The gentleman will state it.

Mr. SHAFER of Michigan. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. SHAFER of Michigan) there were ayes 7 and noes 82.

So the motion was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The amendment was rejected.

Mr. PETERSON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: On page 6, after line 11, insert a new section as follows:

"Sec. 5. During the existence of any proclamation issued by the President under the provisions of section 1 of this act no American vessel carrying arms, ammunition, or implements of war shall carry any American citizen."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment. I did not catch the reading of the amendment in its entirety, but from what I heard of it I think it is similar to an amendment that has already been voted on.

The CHAIRMAN. If that be true, it would be subject to a point of order.

Mr. PETERSON of Florida. Mr. Chairman, it is different from other amendments. My amendment is limited to American citizens.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order against the amendment.

The gentleman from Florida is recognized for 5 minutes.

Mr. PETERSON of Florida. Mr. Chairman, this is another method of approach to the problem which was brought to the attention of this Committee first by the gentleman from North Carolina [Mr. COOLEY], and later by the gentleman from Oklahoma [Mr. JOHNSON].

This amendment makes it unlawful—I will read it so you may know just what it provides:

During the existence of any proclamation issued by the President under the provisions of section 1 of this act no American vessel carrying arms, ammunition, or implements of war shall carry any American citizen.

This is different from the Johnson amendment, in that the Johnson amendment referred to both American vessels and



neutral vessels, and referred to passengers generally, whereas this amendment is limited to American vessels carrying arms, ammunition, or implements of war, and they are prohibited from carrying any American citizen as a passenger. My amendment is different from the Cooley amendment in that the Cooley amendment made it unlawful for ships carrying implements of war to carry passengers or for passenger vessels to carry implements of war.

I cannot see how we can justify any American vessel carrying implements of war and at the same time carrying passengers. It is one of the things that would cause us more trouble than anything else. It is bad enough in time of peace to allow passengers to travel on ships carrying explosives and implements of war, but it is infinitely more dangerous to allow such practice in times of trouble, of wars and threats of war.

Mr. TINKHAM. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield.

Mr. TINKHAM. Has the honorable Representative from Florida read section 9 which we are now approaching? I read it:

SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any belligerent state, named in such proclamation, to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition thereof which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

Will not the adoption of section 9 entirely meet the objectives aimed at by the gentleman's amendment?

Mr. PETERSON of Florida. I think not. I think the primary purpose of section 9 is to prevent the arming of American merchant vessels; and I think that is carried out by the statement in the title of the section itself.

The purpose of my amendment is to prevent an American ship carrying arms or ammunition from carrying American passengers. As I stated before, it is bad enough to allow passengers to travel on ships carrying cargoes of dangerous weapons and explosives. Certainly we should prohibit in time of war a vessel from carrying American citizens into a war zone. This does not take any right away from the passenger, but it puts a positive obligation on the ship. It applies to American vessels and American citizens and does not get into the question of neutrals.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield.

Mr. COOLEY. The gentleman's amendment applies only in the event a proclamation is issued, and that, of course, indicates certain belligerent states.

Mr. PETERSON of Florida. The gentleman is correct, only in the event a proclamation is issued under section 1 naming a belligerent state.

Mr. COOLEY. The gentleman believes that no American citizen should be permitted to ride on a ship carrying those deadly weapons in wartime.

Mr. PETERSON of Florida. Certainly not.

Mr. COOLEY. I agree with the gentleman entirely.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. PETERSON of Florida. I yield.

Mr. FADDIS. Does not the gentleman believe that cotton ought to be named in this bill as a lethal weapon?

Mr. PETERSON of Florida. My amendment does not deal with the classification of arms, ammunition, munitions, or implements of war, and I would rather not get into the discussion of that controversial matter.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I reserved a point of order against the amendment offered by the gentleman from Florida; but inasmuch as it differs from the amendment offered by the gentleman from Oklahoma and the amendment offered by the gentleman from North Carolina, I withdraw my point of order. Since the question has already been debated, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The question was taken; and on a division (demanded by Mr. PETERSON of Florida) there were—ayes 47, noes 93.

So the amendment was rejected.

Mr. COOLEY. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk reads as follows:

Amendment offered by Mr. COOLEY: Page 6, line 11, add a new section as follows: "That whenever the President shall have issued a proclamation under authority of section 1 (a) it shall be the duty of the Federal Government to ascertain whether any American vessel about to leave any American port is carrying arms or ammunitions of war, and in the event it is, then it shall be the duty of the President to cause to be advised of the fact any citizen of the United States seeking to secure passage thereon, and to prohibit any citizen of the United States from traveling as a passenger upon said vessel."

Mr. COOLEY. Mr. Chairman, may I ask the acting chairman of the Committee on Foreign Affairs if his committee will accept this amendment?

Mr. BLOOM. I do not think we can accept the amendment. All these amendments have been voted down once. To do what the gentleman is seeking by his amendment would involve the employment of thousands of people in this one piece of work.

Mr. COOLEY. All I am asking by this amendment is to have American citizens who are about to go upon a boat for passage across the sea advised as to the cargo below the main deck of the boat.

Mr. BLOOM. But the gentleman makes it incumbent upon the Federal Government to do certain things.

Mr. COOLEY. I make it incumbent upon the Federal Government to ascertain whether or not the ship is carrying war material. If it is, then it is the duty of the President to issue an order prohibiting any passenger from traveling upon that boat.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. As the bill stands at present, there are not going to be any ships going to belligerent countries carrying arms and ammunition.

Mr. COOLEY. If the gentleman's amendment is retained in the bill, that is true, but in the event that amendment goes out we are right back where we started. I feel it would be a crime to permit innocent people to walk aboard a ship not knowing that they are sleeping over deadly weapons and I ask that the Federal Government, that must certainly know the nature of the cargo with which the ship is loaded, advise the passenger of the nature of the cargo so that he might forego the privilege of riding on the ship.

I do not think we are asking too much in requesting this. I think the membership of the House understands the purpose of the amendment and I hope it will be agreed to.

Mr. DARDEN. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Virginia.

Mr. DARDEN. The bill carries no inhibitions against shipments to South American republics. Suppose a war should break out in Europe and a boat was leaving for South America. What would the gentleman do with that boat?

Mr. COOLEY. This amendment is applicable to American ships about to leave American ports.

Mr. DARDEN. Suppose they are going to South America.

Mr. COOLEY. If they are carrying ammunition and implements of war, then the citizens should be advised as to the nature of the cargo so that they might forego passage on the ship.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I may say to the gentleman I feel this is one of the most important amendments that has been offered this evening. It is similar to an amendment I offered a few minutes ago, except it is a little better.

Mr. COOLEY. I thank the gentleman for the contribution.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I wish to inform the gentleman that I will accept his amendment.

Mr. COOLEY. I appreciate the gentleman's statement.

Mr. THORKELSON. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Montana.

Mr. THORKELSON. Is it not a fact those ships carry from 100 to 350 men in a crew? They are all Americans too. What shall we do with those people?

Mr. COOLEY. If they are members of the crew and they are lost on the high seas that is as a result of a risk of their employment. They know the nature of the cargo the ship is carrying. On the other hand, the women and children of this Nation, before they are blown up on the high seas, should at least have knowledge of the fact that they are riding on ships which are carrying instruments of destruction. You know and I know that the one thing that will get this Nation into war is to have a ship blown up on the high seas carrying women and children who are innocent and who have no knowledge as to the nature of the cargo.

Mr. THORKELSON. The seamen should not be subjected to the risk either.

Mr. COOLEY. Mr. Chairman, I hope this amendment may be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 53, noes 97.

So the amendment was rejected.

The Clerk read as follows:

#### SOLICITATION AND COLLECTION OF FUNDS

SEC. 5. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for any person within the United States to solicit or receive any contribution for or on behalf of the government of any state named in the proclamation or of any association, organization, or person acting for or on behalf of such government. Nothing in this section shall be construed to prohibit the solicitation or collection of contributions to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of contributions is made on behalf of and for use by any person or organization which is not acting for or on behalf or in aid of any such government, but all such solicitations and collections of contributions shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

(b) Whenever the President shall have revoked any proclamation issued under the authority of section 1 (a), the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the states named in such proclamation, except with respect to offenses committed prior to such revocation.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 306, the Neutrality Act of 1939, had come to no resolution thereon.

#### COLLATERAL SECURITY FOR FEDERAL RESERVE NOTES

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2618) to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes. The bill has been passed by the Senate and an identical bill has been reported unanimously from the Committee on Banking and Currency. This bill simply extends for 2 years the time within which the Federal Reserve banks may use direct Government obligations as a cover for Federal Reserve notes in place of commercial paper. Similar extensions have been granted on three different occasions. The original act was passed in 1932.

The Clerk read the title of the bill.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand from the gentleman from Michigan [Mr. WOLCOTT] that this is satisfactory.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted, etc.,* That the second paragraph of section 16 of the Federal Reserve Act, as amended, is hereby amended by striking therefrom the words "until June 30, 1939" and by inserting in lieu thereof the words "until June 30, 1941."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### STABILIZATION FUND AND ALTERATION OF THE WEIGHT OF THE DOLLAR

Mr. SOMERS of New York submitted a conference report and statement on the bill (H. R. 3325) to extend the time within which the powers relating to the stabilization and alteration of the weight of the dollar may be exercised.

#### ASSESSMENT WORK ON MINES

Mr. MURDOCK of Utah. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6977, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment: In line 11, strike out "October" and insert "September".

The SPEAKER. Is there objection to the request of the gentleman from Utah?

Mr. ENGLEBRIGHT. Reserving the right to object, Mr. Speaker, may I inquire of the gentleman from Utah if the text of the bill is identical with the text of the bill as it passed the House, with the exception of the time limit?

Mr. MURDOCK of Utah. The only difference is that "October 1" has been stricken and "September 1" inserted in lieu thereof.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

#### DISTRICT OF COLUMBIA REVENUE BILL

Mr. NICHOLS submitted the following conference report on the bill (H. R. 6577) to provide revenue for the District of Columbia, and for other purposes:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6577) to provide revenue for the District of Columbia, and for other purposes, having met, after full and free conference, have been unable to agree.

JENNINGS RANDOLPH,  
JACK NICHOLS,  
AMERSON KENNEDY,  
EVERETT M. DIRKSEN,  
GEORGE J. BATES,

*Managers on the part of the House.*

JOHN H. OVERTON,  
WILLIAM H. KING,  
M. E. TYDINGS,  
PAT MCCARRAN,  
ARTHUR CAPPER,

*Managers on the part of the Senate.*

#### RELIEF BILL, 1940

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that the conferees on House Joint Resolution 326, the relief bill, may have until midnight tonight to file their report.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### EXTENSION OF REMARKS

Mr. KNUTSON asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. TERRY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein an article by Mr. J. Carroll Cone describing the first trans-Atlantic flight of the *Yankee Clipper*.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?



There was no objection.

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement and a copy of a letter of the Secretary of State on the trade-treaty program.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members speaking on House Joint Resolution 306, the Neutrality Act of 1939, may be permitted to revise and extend their remarks in the RECORD.

Mr. FISH. Will not the gentleman include in his request all Members of the House?

Mr. BLOOM. Mr. Speaker, I modify the request and ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill under consideration today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SACKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a broadcast delivered by Hon. PATRICK J. BOLAND on June 28, 1939, over the National Broadcasting System.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a short editorial appearing in the Brooklyn Daily Eagle.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein a brief article on neutrality.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. LYNDON B. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial from the Austin American.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORKELOSON, Mr. RICH, Mr. WHITE of Ohio, and Mr. KELLER asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. RISK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short letter from a constituent on the subject of neutrality.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address over radio station WJR by Mr. Thomas E. Stone, chairman of the Council of Associated Veterans.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to place in the remarks I made this afternoon a few excerpts from letters relating to the subject discussed.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mrs. NORTON for 1 week, on account of illness.

To Mr. JACOBSEN, at the request of Mr. LeCOMPTE, for 2 days on account of death in family.

#### HOOR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what his program is going to be tomorrow and the order in which the legislation is to be considered?

Mr. RAYBURN. I do not know that at this time. The W. P. A. conference report and the stabilization matter will come up first.

Mr. MARTIN of Massachusetts. Which one will be taken up first?

Mr. RAYBURN. I cannot tell the gentleman that tonight. I can give him the information pretty early tomorrow. I cannot inform the gentleman now, because some of the people I want to converse with are not present.

Mr. MARTIN of Massachusetts. The only reason I ask the question is because some of the Members over here are quite disturbed over the order in which the matters will come up. I think it would help the gentleman to get his request granted if we knew about that.

Mr. RAYBURN. I cannot tell the gentleman because I do not know, but they will be the first two matters to come up tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5269. An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5427. An act making appropriations for the Labor Department for the fiscal year ending June 30, 1940, and for other purposes; and

H. R. 6392. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, and for other purposes.

#### ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 49 minutes p. m.) the House, under the order heretofore made, adjourned until tomorrow, Friday, June 30, 1939, at 11 o'clock a. m.

#### COMMITTEE HEARINGS

##### COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

There will be a meeting of the Committee on Merchant Marine and Fisheries at 10 a. m. Tuesday, July 11, 1939, for

the consideration of H. R. 6881, to implement the provisions of the Ship Owners' Liability (sick and injured seamen) Convention, 1936.

The notice of June 27, 1939, advised that public hearings would be held on Tuesday, July 11, 1939, at 10 a. m. (E. S. T.) on H. R. 6881, a bill to implement the provisions of the Shipowners' Liability (sick and injured seamen) Convention, 1936.

On the same day hearings will be held on H. R. 6726, a bill to amend the Merchant Marine Act, 1936, as amended, to provide compensation for disability or death resulting from injury to officers and members of the crew of vessels under the jurisdiction of the United States, and for other purposes. It has been decided to hold hearings jointly on these bills because of the relation between the two.

#### COMMITTEE ON THE JUDICIARY

On Wednesday, July 5, 1939, beginning at 10 a. m., there will be continued a public hearing before the Committee on the Judiciary on the bill (H. R. 6369) to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto; to create a Railroad Reorganization Court; and for other purposes.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of a subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Friday, June 30, 1939, for the public consideration of H. R. 5726, to amend the Interstate Commerce Act by providing that the shipper shall be liable for charges in certain cases.

#### COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads Friday, June 30, 1939, at 10 a. m., for the consideration of H. R. 2748, to provide power-boat service in Alaska.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

917. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 13, 1939, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Broad Creek, Middlesex County, Va., authorized by the River and Harbor Act approved June 20, 1938 (H. Doc. No. 381); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

918. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal years 1939 and 1940, amounting to \$132,437, together with a draft of a proposed provision pertaining to an existing appropriation (H. Doc. No. 382); to the Committee on Appropriations and ordered to be printed.

919. A communication from the President of the United States, transmitting supplemental estimates of appropriations, for the fiscal year 1940, for the Department of Labor amounting to \$250,000 (H. Doc. No. 383); to the Committee on Appropriations and ordered to be printed.

920. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the activities and expenditures for the month of May 1939, of the Reconstruction Finance Corporation, and a statement of loans and other authorizations made during the month (H. Doc. No. 384); to the Committee on Banking and Currency and ordered to be printed.

921. A letter from the Archivist of the United States, transmitting one item from the Department of State to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

922. A letter from the Archivist of the United States, transmitting a list of papers from the Treasury Department, consisting of 640 items, to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

923. A letter from the Archivist of the United States, transmitting lists of papers from the Treasury Department, consisting of 158 items, to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

924. A letter from the Archivist of the United States, transmitting a list of papers from the United States District Court for the Southern District of California, consisting of two items, which are to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

925. A letter from the Archivist of the United States, transmitting lists of papers from the Post Office Department to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

926. A letter from the Archivist of the United States, transmitting lists of papers from the Department of the Navy, consisting of 113 items, to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

927. A letter from the Archivist of the United States, transmitting a list of papers from the Department of the Interior, consisting of 23 items, to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

928. A letter from the Archivist of the United States, transmitting lists of papers from the Department of Agriculture, consisting of 545 items, which are to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

929. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 47 items, from the Department of Commerce to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

930. A letter from the Archivist of the United States, transmitting a list of papers, consisting of two items, from the Department of Labor to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

931. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 460 items, from the Veterans' Administration to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

932. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 29 items, from the Farm Credit Administration which are to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

933. A letter from the Archivist of the United States, transmitting a list of films, consisting of 12 items, from the Treasury Department which are to be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

934. A letter from the Secretary of War, transmitting a draft of a bill to amend section 9a, National Defense Act, as amended, so as to provide specific authority for the employment of warrant officers of the Regular Army as agents of officers of the Finance Department for the disbursement of public funds; to the Committee on Military Affairs.

935. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill for the relief of John F. Elliott, former disbursing clerk, Division of Disbursement, Treasury Department; to the Committee on Claims.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COCHRAN: Committee on Accounts. House Resolution 235. Resolution to provide an additional allocation for carrying out the provisions of House Resolution 130; with amendments (Rept. No. 993). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. HOBBS: Committee on the Judiciary. H. R. 5138. A bill to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military



organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States Circuit Court of Appeals in certain cases; and for other purposes; with amendment (Rept. No. 994). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on Irrigation and Reclamation. H. R. 6984. A bill to provide a feasible and comprehensive plan for the variable payment of construction charges on United States reclamation projects, to protect the investment of the United States in such projects, and for other purposes; with amendment (Rept. No. 995). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOUTH: Committee on Interstate and Foreign Commerce. H. R. 5525. A bill to extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Tex., to amend the act of June 18, 1934 (48 Stat. 1008), and for other purposes; with amendment (Rept. No. 996). Referred to the House Calendar.

Mr. KELLER: Committee on the Library. H. R. 5024. A bill to authorize the Archivist of the United States to cause to be collected, edited, and prepared for printing the contemporary matter relative to the ratification of the Constitution of the United States, and for other purposes; without amendment (Rept. No. 997). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 3931. A bill for the relief of Charles H. LeGay; without amendment (Rept. No. 998). Referred to the Committee of the Whole House.

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 6063. A bill for the relief of Franklin C. Richardson; without amendment (Rept. No. 999). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7038. A bill granting pensions to certain widows of veterans of the Civil War; without amendment (Rept. No. 1000). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7039. A bill granting increase of pensions to certain widows of veterans of the Civil War; without amendment (Rept. No. 1001). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 766. A bill granting an increase of pension to Elizabeth Fairfax Ayres; without amendment (Rept. No. 1002). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2448. A bill granting an increase of pension to Mertie Lorain Anderson; without amendment (Rept. No. 1003). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5105. A bill granting a pension to John Spaedy; without amendment (Rept. No. 1004). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MICHAEL J. KENNEDY:

H. R. 7029. A bill to provide for a national census of housing; to the Committee on the Census.

By Mr. STARNES of Alabama:

H. R. 7030. A bill to establish an ordnance arsenal in the State of Alabama; to the Committee on Military Affairs.

By Mr. BLOOM:

H. R. 7031. A bill to incorporate the National Council of Young Israel; to the Committee on the Judiciary.

By Mr. NELSON:

H. R. 7032. A bill to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 7033. A bill to amend section 812 of the Code of Law of the District of Columbia, as amended, relating to kidnapping, and for other purposes; to the Committee on the District of Columbia.

By Mr. SMITH of Washington:

H. R. 7034. A bill to raise revenue by taxing imported chemical wood pulp; to the Committee on Ways and Means.

By Mr. HOBBS:

H. R. 7035. A bill to provide additional civil remedies against violations of the antitrust laws, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH:

H. R. 7036. A bill amending section 6 of the act entitled "An act granting to the city and county of San Francisco certain rights-of-way in, over, and through certain public lands, the Yosemite National Park and Stanislaus National Forest, and certain lands in the Yosemite National Park, the Stanislaus National Forest, and the public lands in the State of California, and for other purposes," approved December 19, 1913 (38 Stat. 242); to the Committee on the Public Lands.

By Mr. WEST:

H. R. 7037. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. LANHAM:

H. J. Res. 341. Joint resolution to dissolve the United States Supreme Court Building Commission; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Texas:

H. J. Res. 342. Joint resolution relating to section 322 of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H. J. Res. 343. Joint resolution to amend section 335 (c) of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. MARTIN J. KENNEDY:

H. J. Res. 344. Joint resolution to amend section 601 (c) (8) (A) of the Revenue Act of 1932, as amended; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. IZAC:

H. R. 7040. A bill for the relief of Mildred Mabel Metts; to the Committee on Pensions.

By Mr. WHELCHER:

H. R. 7041. A bill authorizing the Commissioner of Patents to register and admit to practice before the United States Patent Office, Lt. (Jr. Gr.) Stone Elkin Bush, United States Navy, retired; to the Committee on Patents.

By Mr. BARRY:

H. R. 7042. A bill for the relief of Anna J. Krogoll; to the Committee on Claims.

By Mr. BLOOM:

H. R. 7043. A bill for the relief of Clarence Mulligan; to the Committee on Military Affairs.

H. R. 7044. A bill for the relief of William Beyer; to the Committee on Naval Affairs.

By Mr. DARDEN:

H. R. 7045. A bill granting an increase of pension to Florence Sharp Grant; to the Committee on Pensions.

By Mr. DARROW:

H. R. 7046 (by request). A bill for the relief of Maria Schreyer; to the Committee on Immigration and Naturalization.

By Mr. FERNANDEZ:

H. R. 7047. A bill for the relief of Harvey Canal, Land & Improvement Co.; to the Committee on Claims.

H. R. 7048. A bill for the relief of Clarence Stanley Williams; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Maryland:

H. R. 7049. A bill for the relief of John L. Summers, former disbursing clerk, Treasury Department, and for other purposes; to the Committee on Claims.

H. R. 7050. A bill for the relief of certain former disbursing officers for the Civil Works Administration; to the Committee on Claims.

By Mr. MILLER:

H. R. 7051. A bill for the relief of William H. Sheehan; to the Committee on Military Affairs.

By Mr. MONRONEY:

H. R. 7052. A bill to provide a posthumous advancement in grade for the late Ensign Joseph Hester Patterson, United States Navy; to the Committee on Naval Affairs.

By Mr. O'BRIEN:

H. R. 7053. A bill for the relief of Bruno Wallner; to the Committee on Immigration and Naturalization.

By Mr. O'CONNOR:

H. R. 7054. A bill for the relief of the Bowdoin Oil & Gas Co. of Glasgow, Mont.; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 7055. A bill for the relief of John A. Lowe; to the Committee on the Civil Service.

By Mr. SASSCER:

H. R. 7056. A bill for the relief of Daniel Jordan; to the Committee on Naval Affairs.

By Mr. KENNEDY of Maryland:

H. R. 7057. A bill for the relief of the Morris Weinman Co.; to the Committee on Claims.

By Mr. MARTIN J. KENNEDY:

H. R. 7058 (by request). A bill to provide for a national census of housing; to the Committee on the Census.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4102. By Mr. BOLLES: Petition of sundry citizens of Racine, Wis., favoring a strict neutrality act which will keep us out of foreign entanglements; to the Committee on Foreign Affairs.

4103. By Mr. MICHAEL J. KENNEDY: Petition of the American Institute of Park Executives, endorsing the proposed legislation as contained in the Barkley and Mansfield-Spence bills relating to the pollution of streams; to the Committee on Rivers and Harbors.

4104. Also, petition of Local No. 96, International Molders Union, of Brooklyn, N. Y., favoring enactment of House bills 5875 and 5876; to the Committee on Naval Affairs.

4105. Also, petition of the National Sculpture Society, opposing the proposed bridge between Battery Park, Manhattan, and Hamilton Avenue, Brooklyn, N. Y.; to the Committee on the Public Lands.

4106. Also, petition of American Women Against Communism, Inc., opposing enactment of the Bloom neutrality bill; to the Committee on Foreign Affairs.

4107. Also, petition of National Business Associates, favoring enactment of the Wagner-Rogers bill for the admission of German refugee children; to the Committee on Labor.

4108. Also, petition of the Valve Pilot Corporation of New York City, opposing the enactment of the President's spending program by means of self-liquidating projects; to the Committee on Expenditures in the Executive Departments.

4109. Also, petition of the Volunteer Christian Committee to Boycott Nazi Germany, of New York City, advocating enactment of the antilynching bill; to the Committee on the Judiciary.

4110. By Mr. KEOGH: Petition of the American Institute of Park Executives and American Park Society, relating to abatement of stream pollution; to the Committee on Rivers and Harbors.

4111. Also, petition of the Valve Pilot Corporation, New York City, concerning the President's recommendations; to the Committee on Expenditures in the Executive Departments.

4112. Also, petition of the Social Service Employees Union, U. O. P. W. A., New York City, concerning the Wagner-Rogers bill; to the Committee on Labor.

4113. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., concerning House bill 6577, the District of Columbia business-privilege tax; to the Committee on the District of Columbia.

4114. Also, petition of the Harman Knitwear Co., Brooklyn, N. Y., concerning neutrality legislation; to the Committee on Foreign Affairs.

4115. Also, petition of the Division of Housing of the State of New York, New York City, concerning Senate bill 2240, the low-rent housing bill; to the Committee on Labor.

4116. Also, petition of the National Business Associates, Washington, D. C., concerning the Wagner-Rogers bill; to the Committee on Labor.

4117. By Mr. HOUSTON: Petition of certain citizens of Newton, Kans., and vicinity, urging that immediate steps be taken to stop shipments of war materials to aggressor nations; to the Committee on Foreign Affairs.

4118. By Mr. LAMBERTSON: Petition of Rev. Claude Enselin and 142 other citizens of Seneca, Kans., urging Congress to defeat the Sol Bloom neutrality bill in order that the United States may have no foreign entanglements, no picking of aggressors, no participation in Europe's blood business, and no surrender to foreign propaganda; to the Committee on Foreign Affairs.

4119. By Mr. PFEIFER: Petition of the International Molders' Union, Local No. 96, Brooklyn, N. Y., urging support of House bills 5875 and 5876; to the Committee on Naval Affairs.

4120. Also, petition of the New York State Division of Housing, New York, N. Y., concerning the Wagner bill (S. 2240); to the Committee on Labor.

4121. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., recommending that the business-privilege tax provision be deleted from the District of Columbia revenue bill; to the Committee on the District of Columbia.

4122. Also, petition of the Chamber of Commerce of the State of New York, New York City, urging passage of the Hatch bill (S. 1871); to the Committee on the Judiciary.

4123. Also, petition of the New York Board of Trade, Inc., New York City, urging support of the Hatch bill (S. 1871); to the Committee on the Judiciary.

4124. By the SPEAKER: Petition of Mrs. A. Connell, of Stratford, Conn., petitioning consideration of their resolution with reference to neutrality legislation; to the Committee on Foreign Affairs.

#### SENATE

FRIDAY, JUNE 30, 1939

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Our Father Who art in heaven, let these moments of prayer be our quickening circumstance, the touch of which shall draw out the slumbering soul in us. Bring us to those heights where we are chastened and cleansed with the vision of our faults and errors, where we can see the transient in the light of the everlasting and the great world about us with its sin and suffering, its crying injustices and abuses, in the light of the throne of God. Teach us how to bear each others' burdens and to look with charity upon each other's faults, that, knowing the springs of thought and deed, we may forsake the winding ways of greed and selfish joy, and follow the footsteps of the blessed Christ along the highway of eternal right. We ask it in His name. Amen.

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 29, 1939, was dispensed with, and the Journal was approved.